

# NATIONAL MUNICIPAL REVIEW

1950

VOLUME XXXIX, NO. 5

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# The National Municipal Review

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NATIONAL MUNICIPAL LEAGUE

## The League's Business

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### ***Allen H. Seed, Jr., Appointed Director of Field Services***

The new position of director of field services, created by the Executive Committee of the League at a meeting March 1, has been filled by the appointment of Allen H. Seed, Jr., a former president of the National Association of Civic Secretaries, who has had a varied experience in the local civic field.

The appointment fills a long felt need for a broadly experienced man to work more closely with local civic groups on their problems of organization, program and finance, and to assist community leaders and other League members in broadening interest and support for the League.

After serving as civic secretary of the New York City Club and playing an important part in the campaign for the adoption of New York's present charter, Mr. Seed directed the City Manager League of Toledo during the strenuous and turbulent campaign years of the late 1930s. In 1939 he was chosen to direct the Minneapolis Civic Council, which coordinated the programs of eight civic organizations in Minneapolis and Hennepin County and annually raised nearly half a million dollars to finance them.

In addition to his civic work, Mr. Seed has had experience in the advertising agency field and as a divisional sales manager for *Encyclopaedia Britannica*. He is a former national director of the United States Junior Chamber of Commerce and a former member of the League's Council.

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### ***Jones Promoted in Germany***

Howard P. Jones, former secretary of the League, has been promoted to acting U. S. deputy commissioner in Berlin. Mr. Jones, who was deputy comptroller for the state of New York when he was commissioned a major in military government early in the recent war, rose to the rank of colonel before entering the foreign service. He has held various important posts in the administrative organization of the United States zone in Germany prior to his appointment to his present office. He participated in the reestablishment and reorganization of government in West Germany, being especially active in the public finance field.

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### ***Murray Seasongood Honored***

Murray Seasongood, former League president and former mayor of Cincinnati, was given a Doctor of Laws degree February 14 by Marietta College.

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### ***Town Report Pioneer Dead***

James P. Taylor, long-time executive secretary of the Vermont State Chamber of Commerce, who was widely known for his constant and successful campaigning for improved public reporting by Vermont towns, died last fall in a boating accident, it was learned recently. His municipal report contests to secure governmental improvement and more thorough citizen understanding inspired similar efforts in many other parts of the country. Mr. Taylor was the League's state correspondent for New Hampshire.



### Behind the Scandal

**T**HE governor of Missouri controls the police department of Kansas City. He alone is responsible for law enforcement, having full power to appoint and remove police commissioners in that city and in St. Louis.

It is important to remember this in connection with the current scandal arising from the recent murder of Charles Binaggio, underworld political boss.

The Kansas City *Star* says the current governor, who was elected with Binaggio's support, has appointed half the present police commissioners with approval of Binaggio, whom the *Star* calls "local representative"

of the national crime syndicate.

The theory behind this state law which nullifies an important element of home rule is that big cities are wicked and that a governor, elected with the participation of rural people, would be wholesome and good. Actually, the council-manager government of Kansas City has been among the finest in the land since 1940. But it can do nothing about its police department.

Both Kansas City and St. Louis ought to take the present scandal as a reason for demanding full responsibility for managing their own business, including the police.

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### What Price Patronage?

**T**HE Committee of 70 of Philadelphia asks: "How Necessary is Patronage? Can a party win a major election against an entrenched machine with almost unlimited patronage at its disposal?" The committee finds the answer in the November political upset in which Philadelphia elected Democrats to four city offices:

"That campaign centered around the Republican party's abuse of the patronage and spoils system government. . . . People finally awakened and repudiated those responsible for the abuses. The Democrats, with very little patronage at their disposal, called upon the young and old of both major political parties to assist them in their campaign for better government. The large groups of

volunteers which responded did a good political job which shamed many old time politicians who had become dependent upon the patronage system. . . . They proved conclusively that with a just cause and under forceful leadership you could enlist the volunteer services of a large group of independent citizens to become politically active."

This demonstration was, of course, nothing new. Many a battle for such changes as the council-manager plan has been won by similar volunteers against the opposition of patronage entrenched political organizations. Cincinnati and other places that have had nonpartisan, spoils-free municipal government for years have demonstrated that amateurs, properly organized and led, can be counted

on year after year to work for nothing more sordid than the good of the city.

But, say the armchair defenders of "party responsibility," what will happen to the national parties if there are no mercenaries on local payrolls to ring doorbells and drag unwilling voters to the polls? In rebuttal we give you Mr. Republican himself, Senator Robert A. Taft of Ohio, citizen of Cincinnati. Or, to jump the political fence, there is Senator Estes Kefauver of Tennessee, who was nominated and elected despite the all-out opposition of the patronage boys in his own party.

The Committee of 70 asks and answers some other pertinent questions: "Who pays the bills for patronage? The answer is very simple, you and every other taxpayer. You may think you never contributed to a political party in your life. But if you pay taxes you help support the patronage system. . . . Furthermore, you can't escape because the entire resources of government can be used to collect its taxes."

"Would you approve the patronage system for public education?" Perhaps the least of the horrors conjured up by the committee is that whenever a teacher "had a little politicking to do around the neighborhood or 'down in the Hall'" he might not show up at school for several days at a time, leaving the incidental matter of his classroom assignments to any person who happened to be available. "The patronage system," observes the committee mildly, "is not conducive either to a good school system or to a good municipal government."

Reflecting obviously on the cynical view of human nature that people won't work in the public interest unless they are paid, the committee suggests: "Maybe good jobs should be handed out to the laymen and volunteers who help church and charitable causes. Thousands of Philadelphians contribute many hours of their free time to the church, Community Chest, Red Cross, Salvation Army, Y.M.C.A., etc. They work unstintingly, without a thought of a financial reward, to assure the success of every worthwhile agency in these many fields of public service. What would happen if the majority of the workers expected or demanded jobs on the payroll of the church, the Community Chest, the Red Cross or other agencies they help to serve? Under the patronage system, a large portion of the funds that had been raised to finance public needs would be frittered away on payrolls."

The patronage system is an insult to the fundamental soundness and integrity of the American people. As the Committee of 70 points out, it contradicts the essential democratic principle of "equal opportunity for all citizens to serve in their government." It is in fact, as the name implies, a hangover from the feudal age when public office was not a public trust but a private privilege in return for which the holder owed personal fealty and service not to the community but to the feudal lord or monarch who was his patron. It's high time to get local politics out of the dark ages as, happily, has been done in more places than there are politicians in Philadelphia.



# A New Model Primary Law

*National Municipal League Committee completes tentative draft to bring order and control to nominating process.*

By RICHARD S. CHILDS\*

THE direct primary has been in use for decades in 46 states. Rhode Island adopted it in 1947 and Connecticut is now the lone exception. Published data on experience with the primary is sadly lacking, nor are funds available anywhere for the kind of field research a competent comparative study would require. The best and latest work, *Primary Elections*, by Merriam and Overacker, is dated 1928. The National Municipal League's last committee statement on the subject was in a supplement to this REVIEW dated December 1921, an inconclusive pro and con discussion representing a split vote.

Now the League is deeply indebted to Professor Joseph P. Harris of the University of California, author of its *Model Election Administration System* (1930) and its *Model Registration System* (1939), for preparing a competent and constructive manuscript describing a model direct primary system. It has been revised in two meetings of eminent groups in November and December and by further discussions by mail incident to enlisting the strongest possible sponsoring committee. The committee is still incomplete and minor factors remain to be compromised, but the outlines of the proposal emerge clear-

ly enough to permit this preview of the findings.

The report excludes presidential primaries as a separable subject as well as consideration of local elections in cities, counties, school districts and local judiciary districts since the League is long since committed to nonpartisan primaries and elections at the local level and such elections are in fact in effect in 60 per cent of our cities. That leaves for consideration the large-area elections for statewide offices and in congressional districts, where elections are partisan and where intervention by the state to regulate the internal structure and operation of the two political parties is essential to fairness of procedure and honest counts.

The case for such regulation—as distinguished from the British practice of free unsupervised self-renewing party management—rests on the settled fact that in unwieldy districts no candidate who does not win the nomination of one or the other of the two great parties has any chance of election. The mere size and population of the constituency confer overwhelming advantages on the standing professional party organizations and insurgent independent efforts cannot be improvised to provide effective competition.

Furthermore, the ability of voters to punish one party by switching to the other is blocked in about half the situations by the fact that the two-

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\*Mr. Childs, chairman of the Council of the National Municipal League and a former League president, is a volunteer member of the League's staff.

party system is actually a one-party system. Hence it becomes important that the active party managements shall be kept vulnerable to displacement if they get too far from party rank-and-file opinion. For, like it or not, the nominating mechanisms of the parties in unwieldy districts are essential supplements to the constitutional and statutory mechanisms, which, indeed, could hardly work at all without them.

The League's committee promptly shook off the first proposal of Professor Harris who, looking over the three existing styles of primaries—closed, open and blanket—selected as first choice the Washington blanket primary described elsewhere in this issue. It has been tried in only that one state since 1936 and is being seriously considered, under Professor Harris' leadership, in California.

The blanket primary provides a single primary election ballot covering all parties and lets any voter participate simultaneously, for example, in the contest for the Republican nomination for governor and for the Democratic nomination for U. S. senator. The other members of the committee prevailed in leaving the choice of open, closed or blanket type primaries to follow established local traditions and experience, without recommendation, most of the recommendations now advanced being equally adapted to any of the three types.

The outstanding principle of the proposed model is to pin on the party managers, duly elected in a simple party structure, the duty of proposing and visibly sponsoring candidates

for the party nomination in time for scrutiny by the party voters and the advancing of contesting nominees before the deadline. "Regular" nominees, as in several states already, are to be identified as such on the primary ballot—the voter is entitled to such information and it may or may not be an asset to the candidates thus labelled.

The model goes a step further in requiring the party management to exhibit its ticket at an early date, leaving time enough for contestants to appear and qualify for a place on the ballot. This novel feature revives an idea that Charles Evans Hughes, as governor of New York, vainly urged in 1909. The proposal should embarrass only party managements that prefer anonymity of sponsorship and opportunities for last minute surprises. It is hoped that identification of sponsorship will lead to true and visible leadership, a new dignity and responsibility in party officership and a more consistent party character.

#### Party Organization

Parties are commonly allowed to make their own rules defining their internal structures and nominating authorities. They sometimes set up purposely complex and bewildering mazes of committees, conventions and procedures to confound the non-professional voter and block spasms of insurgency. Tammany Hall, as might be expected, breaks all records for ingenuity in this respect, with rules that require party voters to vote for dozens of committeemen in each precinct and these committeemen, adding up to thousands in



an Assembly District, theoretically choose the key character of the machine, the district leader. A deliberate and almost insurmountable obfuscation! So the report specifies a standard party structure of the most primitive short ballot simplicity and straightforwardness.

The "semi-final" recommendations as they stand in the present version of the model direct primary system provide:

1. The principle of the short ballot should be adopted for all elections by taking off the elective list all offices except those of major importance which are responsible for the major policies of the government. All other offices should be filled by appointment by responsible officers.

2. Political party organizations, acting through committees or conferences of responsible party officers, should be authorized by law to select and propose candidates for nomination by the party for public office and for election to party office, to be voted on at the direct primary election.

3. Candidates proposed by the organization committees or conferences, and duly certified to the public officers in charge of printing the ballot, should have their names printed on the primary ballot with a designation—asterisk or otherwise—to indicate that they have been proposed by the party organization.

4. Any party member should be permitted to become a candidate for the party nomination for any office and to have his name printed on the ballot by fulfilling the legal requirements, ordinarily by filing a petition

and by posting the required filing fee before or after the organization makes its proposals. The final date for such filing should be specified by law and should be at least two weeks after the final date fixed for political party committees to file their lists of proposed candidates.

5. Individual candidates should be permitted to file for the nomination of only one party—that with which they are affiliated. Organization committees, however, should be permitted to propose candidates who are not members of the party, thus permitting candidates to receive the nomination of more than one party.

6. The use of the direct primary should be mandatory for political parties which polled 10 per cent or more of the vote cast at the preceding general election. Smaller parties should not be permitted to use the primary.

7. Provision should be made whereby small or new parties or independent candidates may qualify by petition and have the names of their candidates printed on the ballot at the final election.

#### Choice of Primary Type

8. It is deemed unwise to offer any positive recommendation as between the open, closed and blanket ballot type of primary. The system which is best suited for a particular state will depend in large part on party traditions and history within the state.

9. The candidate of each party who polls the highest vote within the party shall receive the party nomination. In one-party states it may be

(Continued on page 266)

# Invitation to the Masquerade

*Cross-filing, California's perversion of partisan primary, both deceives voters and destroys party responsibility.*

By DEAN E. McHENRY\*

CALIFORNIA'S claim to uniqueness is well deserved in the field of politics. Governor Earl Warren, Republican vice presidential nominee in 1948, won the Democratic gubernatorial nomination as well as his own in the 1946 primaries. James Roosevelt, leading Democratic contender for the governorship in 1950, has announced that he will seek the Republican nomination in addition to his own party's. Whoever is elected governor will have to work with a legislature approximately three-fourths of whose membership received the nominations of both major parties. And Californians, like Mary (who mixed only a few commodities like marmalade and chewing gum and beer), wonder why their politics seem so queer.

The device which makes possible such strange results is called "cross-filing," the practice of permitting a candidate to seek nominations of parties other than his own. No test of party affiliation is required. The successful cross-filer is one who cap-

tures both major party nominations in the primary and has no important opposition in the November general election. It appears that cross-filing is legally possible in five other states, but only in New York does it loom important.<sup>1</sup> There, with few exceptions, it is used to provide minor party endorsements to major party candidates.

When California first adopted the direct primary in 1909 it provided the usual party test under which a candidate must declare that he had supported the party at the preceding general election. In 1913, however, the dominant Progressives, who had left the Republican party in the Bull Moose campaign for Theodore Roosevelt, amended the law to drop the party test for candidates. This means of perpetuating themselves in office was successful, for an overwhelming majority of Progressives won Republican nominations in 1914.

Each decade since its adoption, the use of cross-filing has increased until now it is unusual for a serious candidate to file for only one nomination. The greatest utilization of the device is by candidates for congressional, state assembly, state senatorial and minor state executive offices. Earl Warren's feat of securing both major party nominations has been duplicated by no other candidate for the

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\*Dr. McHenry is associate professor of political science and dean of the Division of Social Sciences at the University of California, Los Angeles, where he has taught since 1939. He is author of *His Majesty's Opposition* (1940) and *The Third Force in Canada* (1950), and co-author (with Winston W. Crouch) of *California Government, Politics and Administration* (second edition 1949) and (with John H. Ferguson) of *The American System of Government* (1947) and *Elements of American Government* (1950).

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<sup>1</sup>See Arthur Harris and Carl Uhr, *Direct Primary Elections*, Bureau of Public Administration, University of California, Berkeley, 1941, pages 14-17.



governorship. Hiram W. Johnson alone has successfully cross-filed — in 1940 — for United States senator.

### Cross-filing Wins Elections

The proportion of congressional and state legislative offices won, in effect, by clinching both Democratic and Republican nominations in the primary is high. For representative in Congress the peak in successful cross-filing was reached in 1940, when 55 per cent of the seats were filled in the primary; the second highest point was reached in 1942 and 1948, when 52.17 per cent were settled in the primary. The top in State Senate cross-filing was reached in 1944, when 90 per cent of the districts electing senators gave both party nominations to a single candidate; in both 1946 and 1948 the level was 85 per cent. The maximum for State Assembly occurred in 1944, when 80 per cent of the lower house seats were won in the primary; in 1946 it was 70 per cent and in 1948, 71.25 per cent.<sup>2</sup>

Minor state executive offices are won by cross-filing with considerable regularity. Like many of her sister states, California persists in popularly electing a large number of lesser executive officers each of whom has his own constitutional pedestal. Few voters are in a position to judge the stewardship in office of the incumbent secretary of state, controller, treasurer, attorney general or member of the Board of Equalization. The

standard pattern is to reelect the incumbent and this tendency is strengthened by cross-filing.

The contest for attorney general has extended beyond the primaries only twice in nine state elections held since cross-filing began in 1913. Incumbent secretaries of state and controllers retained their offices by cross-filing successfully in all except three of the nine times terms have expired. The state treasurer secured both party nominations on five occasions but contented himself with one on four. Board of Equalization members use cross-filing regularly.

Although most candidates cross-file with the intention of winning both major party nominations, some accomplish their purpose simply by polling a modest vote in the primary of the opposing party. Candidate A, a Republican, faces a formidable contender in candidate B, a Democrat, in a legislative constituency with a Democratic majority of registered voters. By cross-filing, A may secure Democratic votes in the primary sufficient in number and intense enough in conviction to carry over to the November election. This form of "raiding" is practiced almost universally in the partisan primary.

California's primary law makes one gesture of deference to partisanship. No aspirant may accept the nomination of another party unless he has won his own. This disqualification clause was amended into the law in 1917, and from the beginning to the present it has produced a long line of candidates who were not allowed to hold nominations they had won in the primary. In 1918 James

<sup>2</sup>These figures are reported in detail for each election since 1922 in Winston W. Crouch and Dean E. McHenry, *California Government, Politics and Administration*, University of California Press, Berkeley and Los Angeles, 1949, pages 36-39.

Rolph, Jr., won the Democratic nomination for governor but was denied it because he lost his own, the Republican.

Every subsequent election has produced from two to fifteen disqualifications, largely among candidates for congressional and state legislative offices. The largest number of disqualifications on record was for 1932 when nominations were vacated for 10 per cent of the congressional, 10 per cent of the state senatorial and 13.75 per cent of the State Assembly seats. The ultimate in disqualifications is reached when a Democrat captures the Republican nomination and a Republican secures the Democratic. This has occurred as recently as 1948 in the 36th Assembly district where both primary victors were disqualified and no one was nominated.

There was no provision in the law for filling such a vacancy at the time Rolph was disqualified, so the 1919 legislature added a provision permitting the appropriate party committee to name candidates to such spots. In the pre-New Deal era, party committees often did not bother to fill vacancies, but since 1933 they have rarely missed an opportunity to place a nominee on the ballot. In all elections, 1934-1948 inclusive, party committee nominees for vacancies created through disqualification, for congressional and state legislative offices, have won election in thirteen out of 28 instances.

Minority winners are common in the operation of cross-filing. A minority winner is a candidate who cross-files successfully, yet who polls less than a majority of votes cast for

the office in the primary. Every primary election produces a number of minority winners among the successful cross-filers. The highest peak was reached in 1934, when 19.8 per cent of those who succeeded in securing both major party nominations for congressional and state legislative offices obtained less than a majority of the votes; in 1938 the level was 18 per cent and in 1926, 14 per cent. The last three primary elections have produced fewer minority winners; in 1944 they constituted 3.7 per cent of successful cross-filers, in 1946, 8.4 and, in 1948, 5.9 per cent.

#### Minority Candidates Win

Victories won with a minority vote occur when there are three or more aspirants, of whom one manages to win a plurality over his opponents in both Republican and Democratic primaries. In many cases opposition to the minority winner would have been strong enough to have defeated him if there had been an opportunity in the general election.

It is not absolutely impossible to defeat a successful cross-filer in the November general election, but in practice the difficulties are so great that it is rarely accomplished. Three remedies are available: (1) voters may cast ballots for minor party candidates; (2) a write-in campaign may be conducted; and (3) an independent candidate may be nominated.

Minor parties are few and the qualifications for admitting them to the ballot are rigid — registration of 1 per cent of the total vote at the last election or signatures on petitions equal to 10 per cent of that vote. At the present time about 30,000 regis-



trations or 300,000 signatures would be required.

A few write-in campaigns have been conducted, but only one during the past fifteen years has succeeded. In 1936 the colorful Ellis E. Patterson, then a Republican, lost his own party nomination for Assembly and won the Democratic, for which he was disqualified. The Democratic committee refrained from nominating anyone to the vacancy and Patterson conducted a successful write-in campaign against the official Republican nominee.

The law provides that the name of an independent candidate may be entered on the November ballot by an extraordinary procedure. The candidate must be a person who did not vote in the primary and he must secure on his nomination papers the signatures of persons who did not vote equal in number to 5 per cent of the total vote in the last general election. Only once in recent years has such a procedure been successful in defeating a successful cross-filer at the November election.

Sentiment for cross-filing is strong among most holders of partisan office in California. The incumbent is the clearest beneficiary. Using the prestige of holding the office already, he is able to nip potential opposition in the bud both in his own and in the opposition party. Incidentally, incumbents are further strengthened through an elections code provision that their names shall appear first on the ballot.

Candidates with much money to spend and newspaper support are inclined to like cross-filing. A "blitz"

in the primaries through a great build-up and large expenditures may create an illusion of victory which often is decisive in contests for minor offices.

There is much disagreement among students of politics over whether one or the other major party is favored by the existence of cross-filing. Based on experience in the 1920s and the first half of the 1930s, many have asserted that the Republicans profit most from the device. Since 1936, however, Democrats have been almost as successful as Republicans at cross-filing. It would appear that the margin of difference could be accounted for by the more generous financing and larger newspaper support normally enjoyed by Republican candidates.

#### Minority Party Benefits

There is also a little evidence to demonstrate that cross-filing benefits the minority party, judged in terms of registration, at the expense of the majority party. Since California resumed two-party rivalry in the early 1930s, however, use of cross-filing has been about proportionate to strength in state politics. It can be shown that the party declining in strength is the one most aided by cross-filing. The device appears to be in part a defensive weapon of the receding side, whether Democratic or Republican, majority or minority. As Republicans returned to strength and power in the 1940s, Democratic incumbents used cross-filing to prevent a full GOP return.

The case against cross-filing is pushed by those who believe themselves adversely affected by it and by

a small but articulate group of believers in party government. Those out of office, but who want in, resent cross-filing because it constitutes a barrier to their defeating an incumbent. The plain fact is that the legislature is unlikely ever to agree to the abolition of cross-filing, since it has been used so successfully by such a large proportion of legislators. Consequently, the movement for reform eventually will have to focus on an initiative constitutional amendment. Initiative petitions were circulated in both 1942 and 1946, but insufficient signatures were obtained.

#### **New Proposal**

Interest now centers in a scheme of general primary reform proposed by Professor Joseph P. Harris which, among other things, would provide a consolidated primary ballot. Pre-primary conventions would make official endorsements that would be printed opposite the candidate's name on the primary ballot; independent candidates would get their names on the ballot by petition.

The plan would make possible election in the primary of candidates securing a majority of all votes cast. The worst evils of cross-filing would be abolished. It would eliminate impersonation by candidates behind party labels not their own and it would bring to an end both minority winners and disqualifications. The idea of permitting election in the primary by majority vote is particularly fitting in a state that prides itself on its independence of party machines.

Despite its many merits, however, it appears unlikely that the Harris

plan can be carried through the California legislature. Most informed observers agree that it can be adopted only by initiative constitutional amendment.

Cross-filing is the most important of several reasons why political parties are weak in California. Parties are also weak because of (1) traditional independence, born of the 1910 revolt against the Southern Pacific machine; (2) the new and transient elements of the population; (3) nonpartisanship, which extends to all local, judicial and school offices; (4) lack of patronage with widespread use of the merit system; (5) pressure groups, which have pre-empted some party functions.

The proper functioning of big government requires the services that are normally provided through political parties; crystallization of opinion on public issues, narrowing down the candidate alternatives before the electorate, information for and education of voters and provision of political responsibility. Party responsibility is not possible if outsiders who are unwilling to accept a party's platform and policies are permitted to seek and receive the party's nomination for office. Great numbers of California voters, especially in urban areas, attempt to judge state and national officeholders by their party's record. Cross-filing obscures a candidate's party affiliation, for he may use both his own face and one or more masks, his candidacy in other parties. The most important step toward establishment of party responsibility in California is abolition of cross-filing.



# New Mexico Retains Primary

*Law enacted in 1949 to provide party convention suspended by the secretary of state when attacked in petition drive.*

By DOROTHY I. CLINE\*

THE 1950 election calendar for New Mexico voters includes a June 6 primary for all candidates seeking county, state and federal offices despite the passage of a pre-primary convention bill in the 1949 legislature. The eleven-year old primary law has been sustained by a combination of unique and colorful political factors.

A number of fast moving events that began with the governor's signature in March 1949 to the now famous S.B. 89 ended in February 1950 when the New Mexico Supreme Court denied an application for permission to bring a mandamus proceeding before the court to force the calling of pre-primary conventions in accordance with S.B. 89. This decision brought to an end a dramatic tug of war between supporters of the primary and those favoring a return to some form of convention system. The final step is up to the voters next November when they will either affirm or reject the bill passed by the 1949 legislature.

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Senate Bill 89 was introduced at the halfway mark of the 1949 legislature by two Democrats, including the floor leader, and a Republican from one of the northern counties. The bill, in other words, was not only sponsored by administration leaders but started off with bipartisan support including both Anglo and Hispano elements in the state. The five-man Privileges and Elections Committee to which it was referred, including its three sponsors, found no objection to the proposed election procedure.

The bill passed the Senate less than four weeks later by a substantial seventeen to five vote, and the house ten days later by 39 to eight with two not voting. If civic organizations, political leaders, newspapers or the voters were opposed to the new bill there was no indication when Governor Thomas J. Mabry signed it, effective June 10, 1949.

The pre-primary convention bill in brief stipulated that candidates could not be listed on the party primary ballot unless designated by political party conventions and unless they received 25 per cent of the votes of the convention delegates. If two candidates, or three, received 25 per cent, they would all be listed but no alternative way of getting on the primary ballot was provided.

The convention provision applied specifically to all state elective offices, to U. S. senators, representatives and

presidential electors. The parties could by their rules extend this system to county officers. Legislative, judicial and precinct offices were exempt. City, town and village offices were excluded. Under this law the first party nominating conventions would be held in March-1950. Selection of delegates to the conventions was left to the party without government participation; the latter began on receipt of certificates of the outcome from convention officers.

### Opposition Arises

Governor Mabry scarcely had time to lay his pen down after signing the bill before a storm of opposition broke over the state. Within a month a group had organized to distribute referendum petitions to suspend the law; the administration was being pushed into a defensive position; opposition cutting across party lines and special interest groups was steadily mounting. The issue was causing real dissension within the ranks of the Democratic party — a majority party since 1930.

Bryan G. Johnson, state Democratic party chairman, speaking for the administration upheld the pre-primary convention claiming the primary had weakened the party system to such an extent it was impossible for any party to shape a balanced ticket with responsible candidates. He charged the primary resulted in "pay offs" and "deals" at the time of petition filing, and actually encouraged intolerance and cultural conflict between Anglos and Hispanos since, under the primary, they could be played off against each other. Consequently, he believed the pre-

primary convention plan would result in a more selective and satisfactory slate. In commenting on the pronounced newspaper opposition Mr. Johnson suggested that readers would have a better understanding of some of the issues if newspapers published their receipts for political advertising from the last two primary elections.

The opponents of the pre-primary convention law argued that the return of the convention heralded a return to machine domination, to political conniving in smoke filled rooms. They pointed out the 25 per cent convention vote requirement would disqualify any candidate who refused to go along with party deals. Their attack, however, was centered on the fact that Bryan G. Johnson was reported to be interested in securing the gubernatorial nomination which they claimed could be accomplished more easily under the pre-primary convention law than the primary. They tagged it the "Johnson for governor bill."

Many political and civic leaders had become involved by this time in the statewide battle of the referendum. Senator Dennis Chavez (who opposed S.B. 89 when it was introduced) charged that the voters would lose their political freedom if party organizations were allowed to control the franchise, and agreed to help spearhead the drive to obtain the 50,000 signatures necessary for the referendum petition.

Senator Clinton P. Anderson thought perhaps the new law should be given a trial, doubted it would destroy the effectiveness of the pri-



mary and knew the voters would change any law that did not work. Three former governors denounced the law. Congressman A. M. Fernandez announced he favored the convention plan.

State legislators were called upon to explain their votes to their constituents. One senator who voted for the bill joined the opposition explaining he had voted for it under the misapprehension it conformed to the Colorado plan which required only a 20 per cent convention vote. The speaker of the house (Bernalillo County and Albuquerque), who voted for the bill, announced he was signing a referendum petition because in his opinion the voters should have an opportunity to decide the issue. One of the eight representatives who voted against the bill (Bernalillo County) was an effective lead speaker for the opposition. A co-author of the primary law assailed the convention system because it was complicated, expensive and would result in a controlled primary.

Cleavages were not confined to the Democratic party. Several GOP leaders lined up with the referendum workers. The then Bernalillo County chairman made an interesting point when he said: "The direct primary has its faults but it is much better than the measure passed by the last legislature. The Republicans merely joined the Democrats in getting the measure passed instead of developing a program of their own." His opinion, however, stood out in contrast to another Republican spokesman who said, off the record, that the convention plan would give

the party a chance to select a winning ticket because it could offer more representative candidates.

Radio speeches, newspaper articles, mass meetings, county by county canvassing, much of it on a paid basis, resulted in success for the "save the primary" campaigners. When the deadline for filing petitions rolled around, June 10, the secretary of state received 81,688 signatures with over the required number from 30 of the 32 counties. The secretary of state's office proceeded at once to examine the petitions on a random sample basis for the purpose of verifying their sufficiency.

#### Petitions Insufficient

By the end of June there seemed to be no doubt in the secretary's mind that the number of signatures was insufficient because of a large percentage of errors and irregularities. Although there was no official release of the results of the examination, the secretary was reported by the Associated Press as having said: "My check has not disclosed sufficient signatures in even half the counties to suspend operation of the convention law. I find page after page where numerous names have been written by the same person. There is duplication of names, printed names, incomplete names, ditto marks."

An attack, however, on the secretary's power to judge the authenticity of signatures or to employ a handwriting expert resulted in a request for an opinion from the attorney general's office. He advised the secretary of state on June 30 that she had only ministerial duties and

had no discretion but to accept the referendum petitions. (The opinion was consistent with those of two previous attorney generals.)

#### Primary Law Suspended

Accordingly, the secretary of state announced suspension of the pre-primary convention law on July 5. This decision was not received with enthusiasm even by the friends of the primary, some of whom agreed with the editor of the *Albuquerque Tribune* that, "Even a law as bad as this one should not be suspended by illegal signatures."

It was anticipated following the secretary of state's action that administration leaders would proceed at once with a court case to clarify a confused situation. Political leaders in both parties with their ears to the ground concluded, however, that despite the deficiencies of the direct open primary the average voter did not want to return to a convention system. The Democratic leaders were more than reluctant to adopt any legal approach that might force adoption of the convention plan. Actually the state administration had been rebuked by the referendum and the Chavez forces within the party had gained a measure of victory with suspension of the plan.

The prestige of the administration, moreover, had suffered as a result of

grand jury investigations, intra-party disputes, and public dissatisfaction with several important bills passed by the last legislature. Democratic leaders were not anxious to incur further losses. Political party leaders may have been advised of the case moving into the Supreme Court in February but there seems to have been no intent on their part to do anything except wait for the returns in the November referendum.

The pre-primary convention plan has now been abandoned, but the weaknesses of the present primary system in New Mexico remain to be corrected. There is general agreement that both parties suffer, and consequently the entire state, as a result of their inability to shape tickets that are balanced geographically and culturally and composed of responsible candidates. This is a problem with serious consequences in New Mexico.

Likewise, the voters have inherited another unsolved issue. It now becomes necessary to determine which office now has or should be given power to determine the sufficiency and validity of referendum petitions. Finally, there seems to be no question but that widespread discussion of New Mexico's nominating process was a direct benefit to the voters in the state.



# Parties Survive Cross-Voting

*Washington's unique "blanket primary" system has given voters real freedom of choice in the nominating process.*

By DANIEL M. OGDEN, JR.\*

THE State of Washington adopted a new primary law in 1935 as an initiative to the legislature promoted by the Washington State Grange. The law provides a general primary election in which each candidate appears with a single party label on one consolidated ballot arranged in office-column style. The voter is permitted to vote for anyone he may choose, as in a general election, regardless of party.

Washingtonians call their unique system a blanket primary to distinguish it from the traditional closed and open party primaries of other states. Because under such a system it is apparent that Republicans can participate in selecting Democratic nominees, and vice versa, the question has been asked, "Has party regularity been destroyed in Washington?" The answer is, "No."

A study<sup>1</sup> of the votes cast for candidates for nomination to 34 statewide and national offices filled from 1935 to 1947 reveals there were only four instances in which significant

numbers of voters evidently crossed party lines.

In only one instance was there clear evidence that the outcome of a primary had been altered thereby—the Democratic gubernatorial primary of 1936. On this occasion Republicans helped the incumbent obtain the Democratic nomination and then saw to it that he was elected in November—hardly a case of political immorality. Incumbent Clarence D. Martin, a right-wing Democrat from agricultural eastern Washington, was opposed by left-wing Democrat John C. Stevenson from the industrialized Puget Sound area. With the New Deal at its height, the Republicans advanced as their strongest candidate the repudiated former governor, Roland H. Hartley. The result was an overwhelming participation by Republican voters in the Democratic gubernatorial race resulting in Martin's nomination and subsequent election.<sup>2</sup>

In this instance, however, considering the weakness of the Republican party, the quality of its candidate, the clarity of the issues between the principal Democratic contestants, and the inclusion of the incumbent in the race, it can well be argued

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<sup>1</sup>Daniel M. Ogden, Jr., "The Blanket Primary and Party Regularity in Washington," *Pacific Northwest Quarterly*, XXXIX (1948), 33-38.

<sup>2</sup>Martin polled 166,313; Stevenson, 129,388; Otto A. Case, a third contestant for the Democratic nomination, 86,752; while Hartley received but 59,371. At least 50,080 "normal" Republicans participated in the Democratic primary, most of them to support Martin.

that any primary but a carefully administered closed system would have resulted in wholesale participation by Republicans in all the Democratic primary contests. The blanket primary in such a case saved the Democratic party from a raid applicable to all offices and at the same time assured the nomination of a candidate who was acceptable to the overwhelming majority of Washington citizens, as the November ballotting demonstrated.

#### Conclusions of Study

The author drew six general conclusions from his study:

First, it appeared that local interest in or personal acquaintance with a candidate was the most widespread cause of cross-voting and that such support stayed with a successful candidate in the general election but did not stay with the party if the favored candidate were defeated in the primary.

Second, it appeared that large scale cross-overs resulted when prominent candidates for an important office, particularly governor, opposed each other in one party, especially if economic and social issues were clearly defined.

Third, cross-overs appeared when a preponderance of strength in one party made the nominees of the weaker party unlikely to be successful in the general election.

Fourth, over-all satisfaction with the record of an incumbent appeared to cause relatively small but widespread cross-voting. Such satisfaction was particularly apparent when in 1944, for example, incumbent Belle Reeves was unopposed for the

Democratic nomination for secretary of state and yet received a sizable block of Republican votes.

Fifth, it appeared that voters were tempted to cross over to make their votes "count" in a contest if a candidate other than the incumbent was running unopposed in their own party. Such a tendency was especially marked when the incumbent was a member of the other party and was opposed for the nomination.

Sixth, dissatisfaction with the record of an incumbent led to cross-voting if the incumbent was opposed by a particularly strong challenger. Such opposition voting appeared, however, primarily when the outcome of the race in one's own party was obvious.

The number of candidates did not affect cross-voting. Moreover, when real contests developed in both parties, voters tended to stay within their customary party lines.

Since the 1935-1947 study was made, Washington has gone through its fourth major election in which state officers were chosen under the blanket primary system. An investigation of the results confirms the conclusions reached by the earlier study. Nine national or statewide officers were elected in 1948.<sup>3</sup> Again the voting characteristics of the people proved regular. The Democratic mean percentage of votes was 50.51, the Republican, 49.49. The mean Democratic vote was 235,512, the mean Republican, 232,478.

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<sup>3</sup>The six representatives in Congress were counted as one office for purposes of this study inasmuch as each voter cast his ballot for one of them.



Using the same measure of deviation as for the 1935-1947 study, 5 per cent above or below the mean, as the criterion of a significant number of cross-voters, the writer found that two contests were the scenes of minor raids by normally Democratic voters into Republican ranks. The 1948 Democratic primary vote for secretary of state was but 41.62 per cent of the votes cast and that for treasurer but 40.30 per cent.

#### Aid Merry-Go-Round

Close examination indicates that both apparent raids tend to confirm the conclusion of the earlier study that voters are tempted to cross over to make their votes "count" if a candidate other than the incumbent is running unopposed in their own primary. There was no race for the Democratic nomination for either secretary of state or treasurer, while the Republican party was engaged in a merry free-for-all. Many Democratic voters, therefore, could be expected to cross over to the Republican list to make their votes "count."

Such was the case. Earl Coe, who had been appointed secretary of state following the death of Belle Reeves and who ran unopposed for the Democratic nomination for that position, drew but 202,273 votes, 33,239 fewer than his party mean. The four Republican aspirants, however, drew 283,782 votes altogether, 51,304 above their party's mean. On the basis of proportionate party expectancy, recognizing that interest varies from contest to contest, Mr. Coe reasonably could have expected to poll 245,506 votes for secretary of state, while his four Republican opponents could expect a combined

vote of 240,549. Actually there was a 43,233 vote discrepancy in favor of the Republicans.

Either way it is calculated, from the party mean or from the reasonable proportionate party expectancy, enough normal Democratic voters crossed over to affect the outcome of the Republican nomination for secretary of state. The victor, Agnes Gehrman, received 78,740 votes. Her competitors were: Zimmerman, 63,851; Mahaffey, 50,274; and Hazard, 40,917. Had Mrs. Gehrman been the weakest of all Republicans running, and had all the crossing Democrats voted for her, they could have raised her from fourth place to first.

County by county statistics have not yet been published so it is impossible to see if the Democrats followed the time-honored Washington custom of voting for favorite sons in the primary when an unopposed non-incumbent shows up in one party. It is also impossible to determine whether "normal" Democrats may not have divided their votes among the Republican candidates substantially in the same proportion as "normal" Republicans. In any event, nearly half the 33,239 "normal" Democrats who apparently crossed into Republican ranks in the secretary of state race would have had to vote for Mrs. Gehrman to have influenced the result inasmuch as she enjoyed a lead of 14,889 votes.<sup>4</sup>

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<sup>4</sup>A check of seven leading daily newspapers from every part of the state reveals no surprise at her victory. The *Tacoma News-Tribune* remarked editorially on September 16, 1948, "This prominent Republican woman . . . is expected to give Secretary of State Earl Coe . . . a real race for the position in the finals."

The conclusion of the earlier study that such a disjointed contest entices voters to cross over to support favorite sons and to make their votes count seems to be supported in this case. As also was found in the earlier study, the Democratic voters did not stay with the Republican party following the defeat of home-grown candidates in the primary, for Earl Coe, the Democratic nominee for secretary of state, won in November 464,863 to 328,327 and polled the highest vote of any candidate of either party for statewide office.

The race for treasurer was virtually a repetition of the secretary of state contest. Again the incumbent was not seeking reelection, this time because the constitution bars such succession, and Tom Martin, Democrat, found himself unopposed. Democratic voters cast but 178,480 votes for Martin, 57,032 below the party mean, while the six Republican contestants drew 264,407 votes, 31,929 above the party mean. The Republican contestants lined up as follows: Maybury, 87,866; Abel, 68,727; Farmer, 43,329; Sorensen, 29,838; Wilson, 18,964; and Jacobson, 15,683.

The 31,929 "normal" Democrats who appear to have participated in the Republican nomination clearly could have influenced the outcome had most of them voted for Maybury, for he enjoyed but a 19,139 vote lead. However, he would still have run a strong second without their votes, thus indicating that a weak candidate was not being foisted on the party.

Again it seems more likely that

the Democrats who participated in the Republican race did so to support home town boys, for they returned to their customary affiliations in the general election to elect Martin.<sup>5</sup>

The election of 1948, then, confirms the earlier conviction that the blanket primary has not destroyed political parties in Washington nor weakened the habit of the people to vote relatively consistent one-party slates.

#### No Mass Conspiracy

Conceivably voters of both parties may be cross-voting in profusion and thus cancelling each other out. If so, the regularity of this phenomenon makes it nothing short of astonishing. In primary elections for 43 statewide and national offices in the past fourteen years, there is statistical evidence indicating only six instances, as already mentioned, of a significant switch in party voting.

Two of these involved members of the opposing party crossing over to increase the already commanding lead of highly favored incumbents, one involved support for a gubernatorial incumbent who was nevertheless turned out by his own party members, while two races for lesser offices appear to contain the possibility of an altered outcome although there is no definite indication that such was the case. In only one instance is there clear evidence that the cross-voters probably altered the outcome of a primary. This was the

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<sup>5</sup>Although the Maybury-Abel race was in doubt for nearly two days until every precinct was in, none of the leading dailies checked expressed the slightest suspicion that Democrats might have influenced the outcome.

Democratic gubernatorial primary of 1936 already described.

In no case is there evidence to support the theoretical charge that under a blanket primary members of one party will foist an unwanted candidate upon the opposing party. Voters in Washington, at least, simply have not demonstrated a disposition for mass conspiracy. They prefer instead to vote for people they really want to see in office, particularly satisfactory incumbents, regardless of party label, a tendency which may have merit in connection with the lesser elective administrative posts.

Nevertheless, the temptation is still present to cross lines when one's own party candidate is uncontested and assured of nomination. Inasmuch as the blanket primary is a general primary election, such a temptation might be reduced by providing that, if any candidate receives an absolute majority of all votes cast in the primary for the office he seeks, he will be elected.

#### Parties vs. Voters

The basic controversy in the direct nominating process seems to revolve around which value an observer places higher — preservation of the political parties or freedom of the voter. Those who insist that preservation of political parties must take precedence would enforce party regularity by law through the closed primary, in which each voter is required to declare his party affiliation before receiving his ballot. As a compromise

with the advocates of voter freedom, some seven states have adopted the open primary, in which consistency for the election at hand is enforced by the requirement that the voter select the ballot of one party or the other. It is therefore regarded as a complete surrender to the advocates of voter freedom to place primary elections under the same rules as general elections. The assumption consequently is made that party regularity, being unenforceable by law, is destroyed. Washington's experience demonstrates that such is not the case. By and large, the voters accept party regularity themselves on a purely voluntary basis.

Under the blanket primary the voter is protected from outside pressure, economic or otherwise, by being relieved of the necessity of publicly announcing his political affiliation, and he is extended real freedom of choice in the nominating process. The parties are protected from the wholesale disruptions forced by the ordinary form of open primary law when peculiar special conditions impel large numbers of voters to change party affiliation to influence the outcome of a particular important nomination.

Thus, it would seem that so long as the voters demonstrate reasonable ability to practice party regularity by themselves, the advantages of the blanket primary to the parties and the voters far outweigh any occasional disadvantages to the parties which may go with it.



# News in Review

City, State and Nation . . .

Edited by H. M. Olmsted

## New York Gets Personnel Relations Board

*Grievance Committee Is Established by Governor*

**G**OVERNOR Thomas E. Dewey of New York has established by executive order a Personnel Relations Board in the Department of Civil Service "to administer a program for resolving employee complaints and problems relating to conditions of employment in the state service and to promote cooperation between the state and its employees."

The board chairman is appointed by the governor to serve on a full-time basis. The other two members are chosen on a rotating basis by the chairman from separate panels of twelve persons selected by the governor from state officers and employees.

Every state department and agency is called upon to cooperate with the new board in establishing formal procedures, to be approved by the board, and administrators and supervisors at all levels are required to act promptly and fairly upon complaints of their subordinates. Review, if necessary, is provided for through departmental or other committees, to the board itself.

In announcing creation of the new board the governor declared that state employees have the right to join or refrain from joining any employee organization, to express opinions on any matters relating to conditions of their employment or its betterment so long as they do not interfere with the employees' duties, and to be represented by state employees of their own choosing or, in matters of broad policy, by officers or representatives of organizations of state employees.

The new program for adjusting grievances is considered to be related to criticisms of the 1947 Condon-Wadlin Act, outlawing strikes by public employees.

## Idaho Reorganization Committee Reports

Established in 1949 as an interim joint committee of the Idaho legislature, to study the state government and submit recommendations for reorganization and other means of promoting efficiency, the Legislative Committee for Reorganization of Idaho State Government has rendered a report for the information and guidance of the 1950 legislature. The committee consists of the lieutenant governor, four senators appointed by him, the speaker of the House of Representatives and four representatives appointed by the latter. It estimates a possible biennial saving of \$3,000,000.

Leading recommendations include:

Adopt a constitutional amendment restricting elective administrative officials to the governor, lieutenant governor and state auditor; the governor to appoint all other officers;

Consolidate Departments of Finance and Insurance, consolidate Department of Public Investments and Commissioner of Public Works with State Board of Land Commissioners, consolidate office of state mine inspector with office of labor commissioner; substitute single commissioner for three-man Public Utilities Commission;

Remove from the State House nineteen non-governmental boards regulating various professions and trades, and assess them for state administrative expense;

Impose adequate budgetary control

over various state agencies now lacking it;

Centralize five existing divisions of education in the office of superintendent of public instruction;

Reduce eleven court districts to six and merge three law libraries into one. Amend constitution so that legislature can consolidate or eliminate various lower courts.

Commenting on the need for legislative reorganization, the committee recommended:

Finance the office of legislative counsel, established in 1947 to draft bills, conduct investigations between sessions and prepare reports for legislators but thus far denied funds;

Consolidate 22 Senate committees into 20 and 26 House committees into 20, with no legislator on more than one major committee and two minor committees;

Provide frequent joint meetings of committees of the two houses so as to avoid duplicate work;

Submit budget report and single appropriation bill in first week of session;

Restrict introduction of bills after the 50th legislative day:

Register lobbyists;

Secure a constitutional amendment to prevent filibustering, on two-thirds vote of either house.

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### ***Oregon Considers Legislative Reapportionment***

One proposed constitutional amendment for reapportioning the Oregon legislature has been filed for action of the voters in November and petitions for another have recently been circulated.

The first proposal, sponsored largely by the State Federation of Labor, would require a commission consisting of the governor, secretary of state and state treasurer to apportion both

houses on the basis of population as determined by the U. S. census, with the limitation that no county have more than one-third of the total membership of each house. The present total numbers of 30 senators and 60 representatives would be retained.

The limitation would now affect only Multnomah County, which contains the city of Portland and in 1940 had 32.6 per cent of the state's population—the 1950 census is expected to show a higher percentage.

This county, which now has seven senators and shares another with two other counties, would have ten; it now has fourteen representatives and shares another with Clackamas County, and would have twenty.

The eighteen counties in eastern Oregon would lose three senators and six representatives. Any county not entitled to one senator or one representative would be grouped with an adjacent county or counties. If the commission failed to apportion the Supreme Court would be authorized to do so.

The other proposal, sponsored by Oregon Farm Bureau members and others not willing to give Multnomah County representation in accordance to population, would prohibit any county from having over one-fourth the total membership of each house. Reapportionment would be by the legislature, or otherwise by the secretary of state, with the Supreme Court having jurisdiction to compel compliance.

Each of the state's 36 counties, regardless of population, would be entitled to one representative in the lower house, the remaining 24 members to be apportioned on the basis of population (except that Multnomah would be limited to fifteen). Thus in Multnomah County, estimated at 500,000 population, some 33,000 people would have one representative while



in Sherman County some 2,000 people would have one representative.

The size of the Senate would be raised to 36; Multnomah County would have nine senators, the other senators to be distributed roughly in proportion to population. A county not entitled to one senator would be grouped with not more than two adjacent counties.

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### ***Home Rule Measures Lose in Maryland, Georgia***

The Maryland League of Municipalities reports that the bill introduced at the recent short session of the legislature by Senator Kimble, amending the constitution to provide home rule for cities over 35,000 population, met with defeat. The league had requested amendment of the bill to cover all cities but failed to secure the change.

A bill to give Georgia municipalities home rule, which passed the lower house of the legislature last year, was defeated in the Senate by one vote on January 27. This is similar to the action in Arkansas last year, when a home rule bill was defeated in the lower house by three votes after passing the Senate, according to the *Maryland Municipal News*.

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### ***Kansas Makes Public Library Survey***

A survey of laws relating to public libraries in Kansas and other states, and of Kansas library problems in general, is being conducted by the temporary nine-member Library Survey Commission created by the 1949 legislature. It is also to prepare plans and make recommendations for more effective and better coordinated library facilities.

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### ***Nevada Municipal Association Organized***

Twenty-two mayors or other representatives of Nevada municipalities

met in Carson City on February 18 and organized the Nevada Municipal Association. Caro M. Pendergraft, mayor of Carson City, was elected president. He appointed committees on by-laws, finance and publicity.

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### ***New York City Efficiency Study under Way***

The Board of Estimate and Apportionment of New York City has appropriated \$100,000 for an economy and efficiency study of the city's government under the auspices of the Mayor's Committee on Management Surveys,<sup>1</sup> of which Comptroller Lazarus Joseph is chairman. Dr. Luther H. Gulick, president of the Institute of Public Administration, will receive \$24,000 per annum as executive director of the survey. A management engineer and other staff positions have also been provided for.

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### ***246 Cities Decontrol Rents***

In the twelve months ending with April this year 246 cities have decontrolled rents through municipal action under the federal rent act, according to a survey of the first year's operation made by the American Municipal Association. Action by these cities was in addition to the removal of rent controls by the federal housing expediter in 517 other localities. Six states have ruled that rent control was no longer necessary or set up their own control mechanism.

Under the rent act passed by Congress last spring, controls can be removed in individual cities by the expediter or by the city's legislative body. Municipal decontrol is final but decontrol on the initiative of the housing

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<sup>1</sup>See the REVIEW, February 1950, page 92.

expediter or by the expediter on advice of the local rent control advisory board can later be rescinded. States were permitted to decontrol all cities by legislative action or to establish state controls.

Nine cities over 100,000 population decontrolled rents, the largest being Dallas, Texas.

About 74,800,000 people live in the 348 housing rental areas still under control. Nearly 3,200,000 housing rent units were decontrolled since April 1, 1949. These units housed more than 25,800,000 individuals.

The state taking action most recently was New York, where a rent control law passed by the legislature in March substituted state for federal and city controls. Rents in New York City are frozen at their levels of March 1, 1949, while in the upstate areas rents are frozen at their March 1, 1950, level. It is estimated that nearly 2,800,000 rental units were affected by the New York action.

A Virginia decontrol act passed by the 1950 legislature, effective June 10, repealed that state's rent control act and declared an end to federal control. In Alabama the legislature passed a statewide decontrol bill effective May 25. Although the governor vetoed the law, the Alabama State Supreme Court ruled it in effect because the governor did not return his veto message before the lower house adjourned.

Nebraska and Texas decontrolled on a statewide basis last fall. Texas cities are permitted to recontrol by city council action.

In Wisconsin a law replacing federal control with a state system became operative last August. Rent increases ranging from 15 to 30 per cent were immediately effective. This law provides for the lifting of all controls after June 1950.

### ***Consolidation Efforts Made in Vermont Municipalities***

The town of Bennington, Vermont, at its annual town meeting in March, besides voting to return to the town manager system, decided by a vote of 1,993 to 855 to permit the selectmen "to appoint a committee to further study consolidation of the several governmental units, to publicize the results of the investigation and to submit a bill or bills to the 1951 legislature to enable the municipalities within the town to consolidate if they so desire." This follows the precedent of a similar vote in 1948 and a proposed charter presented but rejected in 1949. The purpose of the law would be to enable the several villages and the town government to function as one unit.

The town of Springfield, Vermont, voted 779 to 745 against a proposed merger of the village and town governments which has been authorized by a special act of the General Assembly. This follows several years of discussion and planning on the subject. The town voted in favor of the manager system of government, 1,052 to 110, thus retaining the form which has been used for many years. The town and village now employ the same manager but he serves in two capacities, as town manager and as municipal manager for the village.

Several other towns with sizable villages within their borders are also beginning to think about consolidating all the units into one, thus following the action of the town, village and school district of Brattleboro in 1923.

ANDREW E. NUQUIST  
University of Vermont

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### ***Akron, Ohio, Suburb Resists Fragmentation***

For the third time in ten years Tallmadge, Ohio, a suburb of Akron, de-

cided against splitting into two sections, by the narrow margin of 50 votes. The probability that Tallmadge, with a 1940 population of 3,452, will be reclassified as a city after the 1950 census—some estimates place the present population as high as 7,500—renewed old arguments for secession of the eastern and southeastern divisions to form a new East Township. Its advocates claimed that city status, with additional functions, would necessarily mean more taxes. They cited the maintenance of 22 miles of state highways within its boundaries, greater police and fire costs, and the fact that the population is so widely scattered over the township, covering more than seventeen square miles.

The present mayor led the "union" movement for maintenance of the status quo, stating he believed that city government would not cost more than village and township government, that a more advantageous public health setup would result, and that there would be a greater spirit of civic unity and cooperation.

Several town hall meetings with spirited debating were packed by both sides.

EDNA S. SHERMAN

### ***Terre Haute Environs Fight Annexation***

Efforts of Mayor Ralph Tucker of Terre Haute, Indiana, to integrate the city and suburban area have suffered defeat for the present. When elected two years ago Mayor Tucker advocated extensive annexation, to be attempted "by peaceful, legal, democratic processes." Recently he offered the city council an ordinance having that purpose.

Residents of the two townships affected quickly organized into committees to fight the ordinance. They sent a delegation of approximately 200 per-

sons to the council meeting to protest. All who volunteered to speak were against annexation because it would almost double their taxes. They also charged that the city has not provided all the people within its boundaries with necessary services, such as sewer connections.

The mayor stated that the U. S. census would show that Terre Haute had decreased in population when it had really grown; that the city taxpayers were carrying 17,000 other taxpayers who only went to the outskirts of the city to sleep but who spent all the rest of their time in the city where they earned their living; that the townships should be eliminated as units of government; and that annexation should not be piecemeal.

The township residents called meetings on successive evenings in township schools to discuss further ways to oppose annexation. Two Terre Haute councilmen, although of the mayor's party, made speeches against annexation. One was running for county sheriff, the other for township trustee.

At a special meeting of council the mayor temporarily withdrew the proposed annexation ordinance, although still convinced that the best interests of the city require the annexation.

ROBERT D. SELTZER

Indiana State Teachers College

### ***State Labor Departments Increase***

The number of separate state agencies to deal exclusively with labor matters has been increased recently by legislation in Idaho and South Dakota, according to the Council of State Governments.

In Idaho the newly created Labor Department replaced the former Department of Immigration, Labor and Statistics. It is directed to inspect



safety and sanitary conditions in places of employment, to cooperate with the Industrial Accident Board in the administration of safety laws and to mediate labor disputes.

South Dakota's Division of Labor was set up under the Industrial Commission of the state. Duties of the department as outlined by the legislature are to enforce state laws relative to employment of women and children and to conciliate labor disputes.

A 1949 Montana law proposes an amendment to the state constitution to provide for a separate Department of Labor and Industry. The proposal is to be submitted to the general election in November.

Three states — Delaware, Missouri and New Hampshire — repealed acts last year that restricted union activities. All had been passed in 1947.

### ***Council-Manager Plan Developments***

**Montebello, California**, (population 21,400) has adopted the council-manager plan.

On April 4 three cities in **Kansas** voted to adopt the state's optional provisions for the council-manager plan: **Lawrence** (14,390), **Manhattan** (11,659) and **Great Bend** (9,044). **Ottawa**, in the same state, also voted on the plan but the question failed to carry. The votes for adoption were: Lawrence, 2,854 to 1,346; Manhattan, 2,406 to 1,431; Great Bend, 1,293 to 1,104.

**Stoneham, Massachusetts**, (10,765) adopted the council-manager plan at its town meeting on March 6.

On March 22 **Cleburne, Texas**, (10,558) voted to adopt a council-manager charter.

**Kearney, Nebraska**, (9,643) on April 4, adopted the state's optional manager plan law by a vote of 1,428 to 916.

**Savanna, Illinois**, (4,792) has voted 847 to 664 to adopt council-manager

government to go into effect in 1953. The special election followed a controversial campaign of several months. The manager plan was especially backed by the Chamber of Commerce.

**Caspian, Michigan**, (1,797) adopted a council-manager charter April 8 by a vote of 521 to 141.

**Ashland, Virginia**, (1,297) has adopted the council-manager form of government.

The village of **Bennington, Vermont**, has voted to return to the council-manager plan, abandoned in 1947, following similar action by the town of Bennington.<sup>1</sup>

**Hanover, New Hampshire**, where Dartmouth College is situated, has authorized the post-war planning commission to investigate "the advisability of a town manager" and report thereon at the March 1951 town meeting.

In **Madbury, New Hampshire**, the March town meeting adopted a resolution of the planning board that officials "investigate and consider the possibility of a selectman-manager form of government" together with other towns in the area.

**Gorham, New Hampshire**, voted against the town manager plan in March by a margin of 38 votes out of 688.

**Reading, Massachusetts**, at a town meeting on March 27 defeated by a voice vote a motion that a proposed town manager charter be sent to the legislature for approval. Reading operates under the "limited" town meeting plan, and proponents of a manager charter had urged that the matter be submitted to popular referendum.

The lower house of the **Massachusetts** legislature voted on March 27 to eliminate from Plan E the restriction that elected state officials could not be

<sup>1</sup>See also page 245, this issue and the REVIEW for April, page 193.

appointed city managers until after two years. On April 10 the Senate did likewise, 23 to sixteen.

A town manager charter for **Wilmington, Massachusetts**, was approved at the annual town meeting on March 13. It has been submitted to the state legislature, with the expectation of a popular referendum in Wilmington on November 7.

Immediate consideration by the **Rhode Island** legislature of a bill to provide for a council-manager charter for **Newport**, as approved by the local voters in a test referendum, was blocked on March 22. The measure then went to the Committee on Corporations.

At a special town meeting in **Essex, Connecticut**, on March 27 the town manager plan or a proposal for a full-time first selectman appeared to meet with more support than a proposal for a full-time "agent" for the board of selectmen. Further study of the three plans by a special committee was directed.

Members of the City Charter Commission of **Philadelphia** visited Cincinnati, Ohio, in March to investigate the status and workings of the council-manager plan there. It has also heard representatives of other cities, including Mayor Thomas Burke of Cleveland, Ohio, and City Manager L. P. Cookingham of Kansas City, Missouri.

The board of township commissioners of **Penn Township, Pennsylvania**, is considering passage of an ordinance to provide for appointment of a township manager.

A resolution favoring legislation to permit cities to adopt the council-manager plan is slated for attention at the 51st annual convention of the **Pennsylvania League of Third Class Cities**, September 28-30 in York, Pennsylvania. Such a resolution was pro-

posed at last year's convention but action was deferred for a year. The manager plan has been bitterly opposed by league leaders.

A special committee of the **Greenville, South Carolina**, city council, appointed to study reorganization of the city's government, has recommended a referendum on the council-manager plan. Ballots will probably set forth three choices, reports the *Greenville News*: a city manager with complete administrative authority over all departments, which would mean abolition of the public works and civil service commissions; a city manager and retention of these commissions; or the present mayor-council government.

The Chamber of Commerce of **Savannah, Georgia**, advocates a referendum on adoption of the council-manager plan. The board of directors favors the principle of the plan.

Voters of **Evansville, Wisconsin**, turned down adoption of the state's optional manager plan by a vote of 692 to 479.

**Natchez, Mississippi**, plans to hold a referendum on adoption of the manager plan. In **Clarksdale** in the same state the Citizens Advisory Committee is seeking an enabling act from the legislature to permit adoption of the plan by referendum.

**Clarksville, Texas**, voted 439 to 266 on March 27 to retain the council-manager plan, which has been in use since 1946. More than half the voting population participated.

The city of **Roseville, California**, is drafting a proposed new charter providing the council-manager plan which will be submitted to popular vote.

The Chamber of Commerce of **Sherbrooke, Quebec, Canada**, is studying the manager plan for possible use in that city.

County and Township . . . Edited by Elwyn A. Mauck

## St. Louis County Adopts Home Rule Charter

*First in Missouri to Act under 1945 Constitution*

**B**Y an overwhelming majority of approximately two to one, St. Louis County became the first of the state to adopt a home rule charter as permitted under Missouri's constitution adopted in 1945. The vote on March 28 was 22,876 to 12,617, according to unofficial reports. Only three of the fourteen townships voted against the charter and all nine heavily populated communities registered substantial majorities in its favor. The charter will become effective next January 1.<sup>1</sup>

The successful campaign was conducted by the Citizens' Committee for Home Rule in St. Louis County, one of whose co-chairmen was chairman of the 1944-45 Missouri State Constitutional Convention. Organizations that sponsored the charter included the St. Louis County League of Women Voters, St. Louis County League of Municipalities, St. Louis County Chamber of Commerce, Governmental Research Institute, St. Louis County Deanery, Forum of the First Unitarian Church, Medical Society, County Teachers Association and Ladies Division of the Wellston Chamber of Commerce. The St. Louis County Junior Chamber of Commerce merely stated that it would not "actively oppose" the charter.

During the final days of the campaign the citizens' committee mailed 30,000 postcards, seeking support for the new document, to voters who had

signed the petition asking for appointment of a charter commission; but the Taxpayers' League of St. Louis County sent out a postcard barrage in opposition to the charter. Incumbent politicians, in general, were opposed.

Adoption of the charter eliminates the present county court of three members who receive \$6,000 each per year. It will be replaced by a supervisor, elected for a four-year term, and seven councilmen. The supervisor, who will be chief administrative officer of the county, will receive \$10,000 annually, the councilmen \$1,500 each. The presiding judge, who campaigned actively for the charter, already has announced that he will be a candidate for the position of supervisor.

Favorable editorial comments of St. Louis newspapers point out various advantages that will accrue to St. Louis County from its new form of government. Foremost in the listing is the fact that the county now has home rule rather than government from a state legislature with no particular interest in the local government's problems. It is believed that the county council will be more representative of the people than the present county court. Its acts will be subject to the supervisor's veto, but it will be able to override such veto by five affirmative votes.

Editorial comment emphasizes that the separation of administrative and legislative functions will result in better government for the county. Better financial administration through establishment of a county auditor, appointed by the county council, and through the requirement of an annual balanced budget also is emphasized. The supervisor will be county budget officer. Fifty-four per cent of the

<sup>1</sup>See the REVIEW, February 1950, page 98.



county employees will be placed under the merit system and other employees will be brought under it in the future.

The charter will consolidate and streamline the sixteen agencies and eight boards now operating under the county court. The newspapers believe this will result in increased efficiency and economy.

Finally, editorial comment has emphasized the flexibility which the new charter will provide. The charter can be amended at any time by ordinance or initiative petition followed by a referendum. Furthermore, it provides that the question of revision shall be submitted to the voters every twenty years.

The next function visualized by proponents of good government is the task of inducing qualified candidates to file for the August primaries.

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### ***County Manager and Home Rule Plans under Consideration***

Proposals to modernize county government by adoption of the manager plan continue to be advanced by the press and citizen groups throughout the country.

Onondaga County, New York, is the subject of study in an attractive leaflet, *Help Wanted*, published by the Syracuse Governmental Research Bureau.<sup>1</sup> The leaflet urges a home rule referendum on a plan to reorganize the county government and provide executive control through a county manager.

Lane County, Oregon, where the manager plan lost by a 16,000 to 10,000 vote on a prior occasion, is voting on a county manager measure again at its May 19 primary election.

The official Milwaukee County (Wisconsin) Home Rule Committee, appointed in March 1949, is consider-

ing the advisability of proposing a county home rule constitutional amendment to the 1951 session of the Wisconsin legislature.

The King County (Washington) Advisory Charter Commission has recommended a charter embracing a chief county administrator appointed by the county commissioners, appointment instead of election as at present of the court clerks, sheriff, treasurer and coroner, nonpartisan elections and the merit system. Further details will be agreed upon and a final report prepared before the fall elections at which it is expected that the voters will approve selection of an official Freeholders Charter Commission.

Norfolk County, Virginia, is organizing a series of meetings to bring the advantages of the manager plan before the public.

The committee appointed by the commissioners of Baltimore County, Maryland, has approved circulation of petitions to put the question of home rule on the ballot next November. Three hundred volunteers to circulate petitions have been requested.

Petitions are being circulated in Fairfax County, Virginia, for the manager plan. The county League of Women Voters has endorsed the plan.

Professors W. E. Benton and C. S. Potts of Southern Methodist University have proposed a constitutional amendment to extend and simplify the county home rule provisions of the Texas constitution. The Dallas County Citizens Association, of which Professor Benton is a member, is interested in securing home rule for Dallas County. Recent interest in city-county consolidation has been shown by the Tax Committee of Houston, the Travis and Tarrant County Chambers of Commerce and a group, as yet unorganized, in El Paso County.

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<sup>1</sup>See also the REVIEW, April, page 196.

### ***City-County Merger Rejected in Referendum***

A proposed merger of the two counties, two cities and one town of the lower peninsula of Virginia was defeated at a referendum held March 21. Although it received a popular majority of 1,604, or 56 per cent of the total votes cast, the proposed charter failed because the enabling act provided for unification only if every political subdivision approved. In other words, the adverse six to one vote of the town of Phoebus, with a population of only 3,503, was sufficient to defeat the proposal. The city of Newport News (population 51,535) voted nearly six to one in favor of consolidation and the county of Warwick (38,749) favored the proposed plan by a vote of almost two to one. The adverse vote in the county of Elizabeth City (47,573) was less than two to one and in the city of Hampton (7,067) somewhat more than two to one against consolidation.

Since the vote indicated that the central city of Newport News and the contiguous urban precincts of the two counties favored the merger, the citizens association for consolidation is not discouraged. It sees a possibility of a merger agreement between the city and those urban fringes that voted in favor of the greater city plan. At present this seems to be the only hope for the city of Newport News to expand, because a recent act of the General Assembly, upheld by the Supreme Court of Appeals, prevents a city from annexing any part of an adjoining county that has a land area of less than 60 square miles.

The movement for a merger was initiated by the Lower Peninsula Planning Commission and was the result of more than two years work by a consolidation study committee ap-

pointed by the planning commission.<sup>1</sup> The charter it proposed was approved by the planning commission and, with some amendments, by the governing bodies of the five political subdivisions. In 1950 it was approved by the General Assembly. A 1948 enabling act had opened the way for the referendum had the governing bodies failed to act.

A citizens association for consolidation conducted an active campaign for the proposal. Factors that contributed to its failure were opposition of the strongly entrenched officeholders in several communities, a persistent campaign by the Elizabeth City County Board of Supervisors against consolidation on grounds that it would result in large tax increases and opposition to change by those who find tolerable satisfaction in their present status.

The consolidation forces are studying the results of the referendum and have not yet arrived at any definite course of future action. Opinion is general that Newport News and Warwick County, both of which voted for the proposal, can consolidate under the present enabling act if they so desire.

JAMES E. PATE

College of William and Mary

### ***Montgomery County Issues First Home Rule Report***

The manager of Montgomery County, Maryland, has issued his first annual report under the county's recently adopted home rule charter. By use of pictures and graphs the report attempts to popularize the activities of the county for the interest of the citizens.

(Continued on page 257)

<sup>1</sup>Professors J. E. Pate and C. F. Marsh of the College of William and Mary made the basic studies for the committee. See also "Old County, New Troubles," by James E. Pate, the REVIEW, September 1949, pages 393-397.

## Proportional Representation

*Edited by George H. Hallett, Jr.  
and Wm. Redin Woodward*

(This department is successor to the Proportional Representation Review)

### Battle Continues in Massachusetts

#### *House Continues to Support P. R., Senate Votes It Down*

THE Massachusetts Senate, which last month defeated a House-approved bill to restore P. R. to the state's optional Plan E charter,<sup>1</sup> reaffirmed its position on March 27 by defeating, nineteen to sixteen, a similar measure limited to Somerville and Gloucester, which voted for Plan E in 1949. On March 30, upsetting a committee report, it voted seventeen to fifteen to abolish P. R. in the six cities which had been permitted to retain it under the 1949 repeal legislation. This legislation was advanced on April 3 by a nineteen to sixteen vote.

On March 24 the House had voted down a complete abolition of P. R. Presumably it will vote on the matter again as the result of the Senate's action.

Taking the Senate to task, the *Medford Mercury* on April 3 observed editorially:

"Tearing down the basic provisions of Plan E leads to one inescapable realization: That there are too many gentlemen in the legislature who hold the people in contempt and feel that it is safe, politically, to flout their wishes as very precisely expressed on Plan E in municipal elections.

"We are told, in substance, that we don't know what we are doing when we vote under the P. R. system; the people of Medford are not even given the opportunity to find out for them-

selves if they wish to retain or reject the system in time. If, as it was argued, P. R. is 'Communitistic' what label could one apply to an action that deprives the public of the right of choice? Yet this is exactly what the Senate has done."

The *Worcester Gazette*, in an editorial on April 1, "The Great Battle: Politicians vs. P. R.," comments:

"Last November in Worcester's first election under Plan E (with proportional representation) the candidates for council and school committee included 28 of the 41 members of the previous city council. Of those 28 (of whom several had been in the council for years) exactly three were elected. Some men who were veterans in the city government received less than 500 first place votes on the P. R. ballot.

"That experience in Worcester may help to account for the persistence of the professional politicians in the state legislature in their efforts to remove P. R. forever from the Plan E charter—including the charter in those cities, like Worcester, which have previously adopted Plan E. Those politicians are against P. R. because P. R. tends to make it more difficult for them to perpetuate themselves in power.

"This week the State Senate has passed another P. R. repealer. Ignored in the vote was the fact that it impinges seriously on the right of a community to choose the type of government and system of election it wants; ignored was the success of P. R. here and elsewhere in producing a truly representative city government; ignored was the strong vote of a half-dozen Massachusetts communities in recent years for Plan E with P. R. The major influence in the vote was

<sup>1</sup>See the REVIEW, April, page 200.



the fact that P. R., with its city-wide voting and elimination of primaries, makes things tough for the small-time ward-machine politico.

"If more evidence is needed, there is the point that this bill always accompanies another pushed by the politicians—a bill allowing former city and state officeholders to become city managers without the two-year interlude now required by law.

"So once again Worcester's right to its present system of voting—a system we adopted overwhelmingly and used successfully — is threatened. The motives of the opposition to P. R. are purely political. All the rest is a cover-up. We believe P. R. should remain a part of one of the standard city charters, and we believe the politicians who persist in striking at it are going to be held to account some day by the people, who so often have shown that P. R. is what they want."

Senator Harry P. McAllister, Republican of Worcester, in one of the debates on P. R. commented: "Worcester voted for Plan E by a two-to-one vote. . . . And in last fall's election in Worcester there were only about 1,500 invalid ballots out of the record 76,000 cast. This would indicate that the voters knew what they were doing." The one lone Democrat in the Senate who supported Plan E was also from Worcester. His support was given despite his critical attitude toward the manager of that city, whom he criticized for not appointing a larger proportion of Democrats to city offices and employment.

On the same occasion Senator Christopher H. Phillips, Republican of Beverly, charged that the real opposition to P. R. stems from the fact that "it does provide fair representation for minorities in proportion to their numbers. . . . Minority representation is as basic in the American system as the

two party rule," he argued. "Those cities which have adopted Plan E also had the opportunity to adopt Plan D [council-manager plan without P. R.]. They can get rid of Plan E if they want." He added it would be difficult to convince him that P. R. led to Communism in Europe, remarking, "Ireland, a non-Communist state, has P. R. I believe there is a tendency to use Communism to smear something that should be judged on its merits."

Senator Sumner G. Whittier of Everett in a light vein remarked, "I have heard someone here say P. R. is a Communistic system and another senator say that it is far worse than that, it is a Republican system. It has been very confusing."

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### ***Greek Parliament Chosen by P. R.***

The Greek parliamentary elections on March 5, held by a party list system of P. R., indicated voter support for three major parties of almost equal following, three minor parties of approximately half the size of the leading parties, and a number of still smaller groups of which only four managed to obtain representation in the new parliament. Although following closely the liquidation of a bitter civil war, the election was orderly throughout and was called fair by all groups.

Because of the recent rebellion the Communist party was banned, but all other shades of opinion took part in the contest and the groups obtaining representation ranged from the extreme rightist Independent Political Coalition led by Maniadakis to the extreme leftist pro-amnesty Democratic Front led by Sofianopoulos, which ranked respectively sixth and fifth in the standings.

The four larger parties are all of more moderate policy, although the Populists, who ranked first by a small

margin, collecting 18.2 per cent of the votes and 23.2 per cent of the seats, are regarded as the more conservative. The National Progressive Union and the Democratic Socialists are regarded as the more inclined to advocate economic changes or reform. The organization of a governing majority has consequently hinged largely on the role of the other major party, the Liberals, led by Venizelos.

Shortly after the election the leaders of the Liberals, National Progressive Union and Democratic Socialists announced a coalition to be led by General Plastiras of the National Progressive Union. This coalition took form April 14 when Plastiras was made prime minister upon resignation of Venizelos, who had expected to govern by an alliance with the Populists and various right wing parties but had been persuaded to resign in favor of a coalition having a broader majority.

The last previous national election

was in 1946, just before the outbreak of the Communist rebellion. At that time the Populists obtained a somewhat higher proportion of the vote, but at least part of the difference is accounted for by the fact that the Communists and their left wing sympathizers abstained from voting in 1946. The modest showing of the extreme left wing this year suggests that the international commission which supervised the 1946 election was approximately correct in its estimate of the extent of these abstentions.<sup>1</sup>

About 1,510,000 out of 1,870,000 registered voters took part in this year's election. The votes and seats are tabulated by parties below. Failure of the voters to concentrate their support on fewer parties in this instance is rather extreme compared to other postwar European elections. It is in line, however, with past performance in Greece under various methods of election.

<sup>1</sup>See the REVIEW, July 1946, page 374.

#### Election of Greek Chamber of Deputies, March 5, 1950

Party	Votes*	Percentage of Votes	Seats	Percentage of Seats
Populist	273,942	18.3	58	23.2
Liberals	252,316	16.8	54	21.6
National Progressive Union of the Center	264,628	17.7	49	19.6
Democratic Socialists	159,416	10.6	34	13.6
Democratic Front	155,176	10.3	22	8.8
Independent Political Coalition	113,522	7.6	16	6.4
National Regeneration Front	75,377	5.0	9	3.6
National Party	51,365	3.4	4	1.6
New Party	37,730	2.5	2	0.8
Agrarian	24,011	1.6	2	0.8
Other (16 parties)	91,413	6.1	—	0.0
Total	1,498,896		250	

\*The popular vote figures are incomplete, lacking returns from eleven precincts involving about 12,000 votes. The corresponding percentages assume that these few votes were distributed in the same manner as the others. Figures given in the table are as reported by the Information Service of the Royal Greek Embassy, Washington, D. C., on March 20. An April 1 dispatch to the *New York Times* gives slightly different results. Seats credited to the parties, in the order listed above, were 62, 56, 45, 35, 18, 16, 7, 7, 1, 3. In a national election without national lists the districting always throws off the proportionality of the total results to some extent even when an accurate form of P. R. is used in each district.

## Taxation and Finance . . . .

*Edited by Wade S. Smith*

## N. Y. Bonus Payments Run Below Estimates

**State May Save \$30 Million of \$400 Million Authorized**

**PAYMENTS** to New York State veterans of World War II, for which voters authorized a \$400,000,000 bond issue in November 1947, may run nearly 10 per cent under the amount approved, according to figures through March 31, 1950, released by the state bonus director.

When the bonus was approved in 1947, it was estimated that about 1,700,000 veterans would be eligible for payments ranging up to \$250 each, depending on length of service and overseas duty. Actually, from January 1, 1948, when payments began, to March 31, 1950, payments were made to 1,525,711 veterans amounting to \$332,541,944. Of the total payments, 65,568 were made after January, 1, 1950, when former New Yorkers now living outside the state, a group ineligible under the original measure, became eligible under a constitutional amendment approved in November 1949.

Previous to the effective date of the amendment making ex-residents eligible to share in the bonus, the rate of monthly payments had fallen from a peak of 402,013 checks in March 1948 to only 979 in December 1949. It was estimated that about 150,000 ex-residents would file from out of state, but officials are now not so sure. Best estimates are that not much more than \$40,000,000 additional will be disbursed, leaving \$30,000,000 or so unexpended of the \$400,000,000 authorization.

The New York State bonus is being paid primarily from the proceeds of a

special cigarette tax, which has been used directly to pay bonuses as well as to meet debt service on the bonus bonds. By use of the tax directly to pay bonuses, the amount of bonds actually issued has been held to \$300,000,000.

Administrative costs of the bonus have been pared considerably from those of World War I, when a \$45,000,000 bonus bond issue was disbursed at a cost of \$1.85 per claim. Cost of the World War II bonus was estimated originally at \$2.50 per claim processed, but Bonus Bureau Director G. E. Rowley reported that actual costs of administration have been \$1.13 per claim. In addition to those paid, some 45,000 claims have been rejected because the claimants were not eligible. Many of the rejections were of ex-residents, who have been able to make reapplication under the 1949 amendment to the plan.

## **Toledo Income Tax Upheld, Dayton's Declared Illegal**

Constitutionality of the Toledo, Ohio, income tax was upheld by the Ohio State Supreme Court in a decision handed down early in March. The case was brought by a non-resident contesting the city's right to levy the tax (*Angell vs. City of Toledo*). According to a summary of the decision in the *Toledo Municipal News*, publication of the Toledo Municipal League, the court ruled that the state constitution permitted both state and cities to levy income taxes and the state not having preempted the excise nor restricted the right of cities to use it, a municipality had the right to levy and collect an income tax.

The taxpayer had also urged that the tax was specifically unconstitu-



tional as to a non-resident, as violative of the due process clause. The court held that determination of a violation of the clause would depend on whether the law had some "fiscal relation to the protections, opportunities and benefits given by the state." Noting that the city provided protective services to the non-resident, as well as a protected place to work, the court held the non-resident must pay the tax.

In a similar but not parallel case, the Dayton city income tax was ruled illegal. In this instance the city charter requires certain taxes to be approved by the voters and the income tax was not so approved. The court ruled that it should have been. The city council is expected to take action on the tax again, submitting it to the voters in the near future.

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### ***New St. Louis Charter to Provide Earnings Tax***

While the Ohio court was ruling on the legality of city income taxes in that state, a freeholders' charter board for St. Louis, Missouri, was seeking a way to avoid a budget crisis in that city should the state legislature fail to reenact the city's 1.5 per cent earnings tax when it expires July 1. According to press reports, the freeholders proposed to provide a section in the suggested charter which would authorize imposition of an earnings tax. Actual imposition would be by ordinance of the board of aldermen, with the rate limited to 1 per cent on the gross earnings of individuals and the net earnings of business firms.

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### ***Local Borrowing Continues on Large Scale***

State and local borrowing continued at the high rate evident since the end of the war, according to data for the first quarter of 1950 compiled by *The Daily Bond Buyer*. At the same time,

the voters continue to approve issuance of substantial blocks of new bonds as the demand for new streets, sewers, water improvements, schools and other improvements remains unsatisfied.

During the first three months of 1950, state and local bond sales aggregated \$1,176,644,521. Largest single item included was the record-breaking \$375,000,000 Pennsylvania veterans bonus issue. In the January-March period in 1949 sales had totaled \$574,441,445, and for the 1948 first quarter had been \$993,108,825, a figure also including large state bonus issues. By way of contrast, the wartime low was for the first three months in 1944, when sales totaled \$119,299,424.

Bond approvals by the voters for the first three months of 1950 totaled \$129,764,000, second for the period only to the first-quarter approvals of 1948, which had been \$132,436,000. For 1949, approvals the first three months were \$124,743,000. Early months of the year ordinarily do not see a very large proportion of the annual authorizations submitted to the voters. Of the total authorizations voted in the full twelve months of 1949, for instance, amounting to \$2,217,294,000, November approvals alone accounted for \$1,348,573,000, while June was also a heavy month with \$298,433,000.

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### ***California to Vote on Parking Amendment***

Voters in California will vote at the state election June 6 on a constitutional amendment to authorize local units to pledge parking meter receipts as security for bonds issued to construct off-street parking facilities.

Previously legislation had been enacted in California to permit issuance of parking revenue bonds, either by cities, counties or special authori-

ties or districts. However, indication that off-street parking facilities might not provide sufficient revenues to secure revenue bonds suggested the use of receipts from parking meters, a procedure deemed of doubtful legality under existing state law. The prospect, if the voters approve the amendment, is that on-street parkers will help pay for the parking lot facilities.

At least one precedent exists for pledging parking meter receipts as additional security for revenue bonds for off-street parking facilities. Denver, Colorado, in a charter amendment adopted in 1948 to authorize construction of off-street parking facilities and their financing by revenue bonds, provided that such bonds might be additionally secured by a pledge of either parking meter receipts or special assessments, or both, from the area served by the off-street parking facilities.

In March Denver called for proposals for issuance of \$3,700,000 revenue bonds to develop its proposed downtown parking area. Bidders were invited to determine full details of the setup, including whether parking meter receipts or assessments would be pledged in addition to parking fees, and to this writing the details of the proposals have not been announced. However, the city's engineering consultants had, in their review of the plan, presented data showing expectation that the facilities would be amply self-supporting from parking fees alone.

## COUNTY AND TOWNSHIP

(Continued from page 251)

zens.<sup>1</sup> It attempts to give a broad picture of activities rather than a mere financial statement. It should do much

in increasing popular understanding of the activities of the government of Montgomery County.

## California Studying City-County Relations

A statewide committee of the League of California Cities has begun an extensive survey of city-county relations, following a pilot study undertaken by the eight cities of San Diego County several months ago.<sup>2</sup>

The major question to be determined is whether the taxpayers living in cities are being treated fairly by their county governments in comparison with taxpayers in urban, unincorporated areas. Fact-gathering is in progress now in Contra Costa, Alameda, Los Angeles and Orange Counties. Other counties may be included in the study later.

## Wisconsin County Highways Have Cost Accounting

In response to legislation enacted in 1949, all but eighteen Wisconsin counties have now installed cost accounting in their highway departments. The remaining counties must install such systems by the end of 1950. The accounting division of the state highway department is assisting in installation.

The major objective of the legislation is to secure uniform procedures under which counties charge the State Highway Department for construction and maintenance work done on state trunk highways.

## New Jersey County Enters Censorship Field

Union County, New Jersey, has banned 54 magazines and pocket-sized books from its news stands on the charge that they are "indecent" and "obscene." The state attorney general has directed other New Jersey counties to do likewise.

<sup>1</sup>*Your County Government*, 1949. Rockville, Maryland. 64 pages.

<sup>2</sup>See the REVIEW, January 1950, page 43.

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Citizen Action . . . . . Edited by Elsie S. Parker

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## Hartford Students Form Junior City Council

### *Group Will Give City Its Views on Certain Problems*

IN Hartford, Connecticut, there are two city councils, one composed of nine members and the other of fifteen. One important difference, however, is that the latter body is made up of high school students and is known as the Junior City Council. But far from being one of the "legislature for a day" variety, set up for demonstration purposes, Hartford's Junior City Council is a serious attempt to draw the youth of the city into the actual workings of city government. It is a continuing body, meeting once a month at the municipal building for the duration of the school year, and is free to study and make recommendations on any city problem it wishes to tackle.

City Manager Carleton F. Sharpe suggested the idea last spring, his thought being that it would be helpful to get the views of Hartford young people on matters which concern them. Specifically he had in mind problems of recreation, juvenile delinquency and school traffic. The idea met with the approval of the education department and the project was organized as follows:

The manager attended meetings of the student councils in each of the three senior high schools to propose the idea directly to the teen-agers. It was enthusiastically received, so the next step was appointment of a student charter commission of nine, composed of three members from each of the high schools. With the aid of faculty advisors the commission drafted a

charter similar to Hartford's council-manager charter, though dealing only with council-manager relations. Key sections in the charter were those providing for a city manager and a council of fifteen members, five to be elected from each high school district. The council was given power to choose a mayor from among its members and a city manager and clerk from among the "voting" population. Elections were scheduled for each fall. In June the proposed charter was submitted to City Manager Sharpe and Superintendent of Schools Fred D. Wish, Jr., for their suggestions. With a 95 per cent turnout of eligible voters the charter was approved at a referendum in September by a vote of 3,188 to 269. The city's morning newspaper, the *Hartford Courant*, provided reprints of the junior charter for all students.

In an October primary 30 council candidates were nominated. In order to run in the primary, candidates filed petitions signed by a specified number of eligible voters. To be eligible to vote, students had to be registered. Voting machines were used, and the usual election officials were appointed to check names of voters, unlock machines and tabulate votes. The polls were open from 7.45 A.M. until 4 P.M., during which time close to 90 per cent of those eligible cast their votes. A few weeks later, on November 1, the final election was held with about the same turnout.

Subsequently the fifteen-member Junior City Council was inaugurated in a ceremony at the municipal building attended by about 150 persons. Speakers included the mayor, president of the board of education, city manager and superintendent of schools. Since then, Hartford's junior city govern-



ment has addressed its responsibilities with resolution.

At each monthly meeting an agenda prepared by an executive committee of the Junior Council is followed. The council's executive secretary, i.e., the junior city manager, and the clerk prepare reports and act as liaisons between the council and public officials.

In December the junior legislators submitted their first official report to the city council. It contained the findings of an investigation of recreational facilities in the northeast section of the city, where the recreation problem is recognized as pressing. The study was conducted in cooperation with a neighborhood community center group. Thus far no official action has been taken on the report but the problem is not a dead issue.

As a result of a questionnaire soliciting student opinion about matters the Junior City Council ought to pursue, a number of projects are on the fire. One committee is investigating the possibility of inaugurating driving classes in the high schools, consulting with city police and school officials as well as school authorities in towns where such classes are already being conducted.

Another committee is taking a sample poll of student opinion as to necessary improvements and expansion of out-of-school recreational facilities throughout the city. A third is organizing an interhigh school talent show to be presented possibly at Horace Bushnell Memorial Hall, which seats about 3,300. Reports from all three committees are expected shortly.

At the suggestion of City Manager Sharpe, the Junior City Council is also sponsoring a "City Beautiful" campaign, working with a committee of city officials and representatives of civic groups.

Hartford's citizens and city officials are rightfully proud of the course taken by this youthful venture in democratic action and look forward to its energetic continuance.

ROBERT H. McMANUS  
Hartford Governmental Research  
Institute

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### ***Toledo Extends Citizenship Training to Adults***

With its program on the governments of Toledo and Lucas County, Ohio, in full swing for high school students, Toledo officials have now taken steps to organize a city-wide adult study class on local government. The meeting to lay plans was attended by city and county officials as well as representatives of the Parent-Teachers Association, League of Women Voters, Federation of Women's Clubs, service clubs, labor and business groups.

Mayor DiSalle commented that results of the course for high schools in the city and county had been so encouraging he had come to feel that immediate steps should be taken to spread the novel program to adults.

Now in full swing is a ten-weeks Civic College course in which more than 50 adults have enrolled. City officials and other prominent citizens act as class lecturers. A registration fee of one dollar is charged to include a subscription to the *Toledo City Journal*, which will publish an outline of the course.

Testimonials regarding the Civic College are already on record. J. W. Cunningham, retired lumber dealer, comments, "The first four sessions of the adult seminar leave me feeling that Toledo's Civic College is good for what ails us. We need to know more about who and what makes governmental wheels go around."

A housewife, Mrs. Alyce Cannon, says, "The speakers are quite good and

it gives us all a chance to meet our city officials."

R. J. Flory, labor executive, believes, "The only way for people to get good out of their government is to understand it. This program is of tremendous importance and the results will manifest themselves in more interest in and less antagonism to various local governmental programs."

High school seminars for the study of the city and county governments have been held for the last two years.<sup>1</sup> Both public and private high schools have participated. Material for the courses is prepared by the city's Commission of Publicity and Efficiency.

#### More School News

Toledo's idea is spreading. The Akron *Beacon Journal* reports that an experimental class in that city "in which civic students visit city hall to learn about local government, has passed the test." The course is under the supervision of C. F. Bassett, civil service director, who reports that plans are under way to make the project an annual event.

The Seattle Municipal League has prepared for its Public Schools Committee a mimeographed prospectus on *The Making of a Seattle Citizen*. Covered are definitions of the project and its purpose, scope of project, mechanics of project and suggestions for sub-committee surveys. The teaching of citizenship in the schools has been one of the Seattle league's most active endeavors.<sup>2</sup>

The second annual Columbia College Forum on Democracy met at Columbia University in March with student leaders from some 65 secondary schools in attendance. Theme of the

conference was "Freedom and Security," presented by Professor Louis M. Hacker, director of Columbia's School of General Studies. Other speakers included Dr. Courtney C. Brown of the Coordination and Economics Department of the Standard Oil Company of New Jersey, and Mark Starr, educational director of the International Ladies Garment Workers Union.

#### Manager Plan in the News

"The people of Medford [Massachusetts] can hold their heads high again," said the Medford *Mercury* editorially on March 16. Occasion for the comment was the attempted ouster of City Manager James F. Shurtleff, appointed only a short time before under the city's new council-manager charter. More than two thousand citizens jammed a huge auditorium to support the manager when his dismissal was demanded by certain members of the city council and numerous speakers opposed the ouster move on the grounds that Mr. Shurtleff, formerly the successful manager of the neighboring community of Saugus, had not been given a fair chance to prove himself.

"The men and women of this city rose to meet a crisis in our municipal life in the finest of democratic traditions," continued the *Mercury*, "in an orderly but tremendous outpouring. A free people has shown how effective freedom can be. . . . It was spontaneous, ignited by the universality of the appeal created by the situation that saw a city manager, on the job for less than two months, facing a summary dismissal that outraged every self-respecting person's sense of fair play."

Nearly two hundred representatives of numerous civic groups met in Lynn, Massachusetts, to discuss the council-manager plan and to organize the Lynn Citizens' Plan E Committee to secure

<sup>1</sup>See the REVIEW, March 1949, page 148.

<sup>2</sup>See also "Seattle League Educates Youngsters," the REVIEW, November 1949, page 520.

the manager plan with P. R. for council and school committee. The committee hopes to place Plan E on the ballot in either 1950 or 1951. Petitions to do so are already in circulation. "We have thoroughly sounded out public sentiment in all sections of the city and have found that there is overwhelming sentiment in favor of Plan E for Lynn," Leslie Jacobson, temporary chairman, declared.

The Leagues of Women Voters of Hastings-on-Hudson, New York, and Bennington, Vermont, are discussing the council-manager plan as applicable to their communities. The Hastings group is interviewing former and present officials of the village, studying texts of municipal government and delving into the laws governing villages, including the Hastings charter. The Bennington league, already on record as favorable to the manager plan, recently arranged a panel discussion on the subject.

The Greenbriar Village Forum of Worcester, Massachusetts, instrumental in starting the campaign which resulted in adoption of Plan E for the city, has been revived. Some 50 persons heard talks by Mr. and Mrs. Robert B. Service, Jr., the former past president of the Citizens Plan E Association on the plan as it is now in operation in Worcester.

Colonel John B. Atkinson, city manager of Cambridge, Massachusetts, addressed a public forum in Stoneham, Massachusetts, in a debate on the council-manager plan. His opponent was former Mayor Walter E. Lawrence of Medford, which also now has the plan. The debate was broadcast over WMAS of Cambridge and WVOM of Brookline.

The political committee of Voters'

Lobby of Paterson, New Jersey, urges adoption of the council-manager plan for that city. "May we suggest," says its bulletin, "that the citizens of this community consider a petition drive for the city manager, as concrete action to get rid of this 77-year-old 'buggy' in our modern atomic age."

The Committee on Forms of Government of the Massachusetts Civic League has concentrated for the past year on securing information on the council-manager plan. Questionnaires mailed to city and town clerks in the state revealed that there is considerable interest in the plan but that there is much opposition from the clerks themselves. Out of 351 clerks receiving the questionnaires, 258 replied.

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#### Strictly Personal

Albert S. Bard, New York attorney, an original member of the legislative committee of the Citizens Union of New York City, was present, as usual, when the committee convened on January 13 for its 46th year of work. The committee meets weekly during the annual sessions of the New York legislature, investigating and reporting on all bills bearing on the union's program.

The Greater Dallas Planning Council has reelected its 1949 officials to serve during 1950: Paul Carrington, president; John E. Mitchell, Jr., and J. Woodall Rodgers, vice presidents; D. Gordon Rupe, Jr., secretary; Eugene McElvaney, treasurer.

Ernest Erber has succeeded Robert Burlingham as executive secretary of the Passaic-Bergen Community Planning Association.

The Medford, Massachusetts, Plan E Civic Association has elected Frank W. Marshall, Jr., as its new president. Mr. Marshall succeeds Charles M. Doherty.



Researcher's Digest . . .

Edited by John E. Bebout

## Administrative Theory and Practice Reexamined

### *Old Search for Democracy and Efficiency Continues*

GOVERNMENTAL researchers and political scientists are unusually active these days in reexamining some of their basic assumptions and long accepted "principles."

It has often been said that the central problem of government can be expressed as "liberty versus authority." In somewhat similar vein has been some of the discussion of democracy and efficiency in administration, the implication being that there is a natural conflict between the two. Perhaps the fact that the last war made a *prima facie* case for democratic efficiency has something to do with the current tendency to reexamine this problem. Such a reexamination is the central purpose of a thought-provoking paper by Professor Edwin O. Stene of the University of Kansas, *American Administrative Theory*, (21 pages, University of Kansas Publications, Governmental Research Series No. 6).

Professor Stene suggests that the "new administrative theory" is recognizing these needs: (1) "to develop a new emphasis in the selection of leaders . . . men to whom democracy is a way of life, . . . men who win confidence rather than men who rule by command, . . . men who listen more, talk less"; (2) "a continuous educational process" in every administrative agency to help develop "unity of purpose and coordination of effort"; (3) "decentralization of particularized decisions"; (4) "machinery to facilitate communication upward through the ad-

ministrative hierarchy"; (5) continuous use of management counselors to assist supervisors in the educational process and suggest improvements in the operation of the administrative system.

An increasingly important phase of the problems of democracy and efficiency in administration is in the realm of intergovernmental relations, particularly the vertical relations involving federal, state and local government. The Hoover commission and the various "little Hoover" commissions have helped focus attention on this matter.

An address by Governor Adlai E. Stevenson of Illinois, before the National Reorganization Conference sponsored by the Citizens' Committee for the Hoover Report in Washington last December, printed in the winter number of the *Public Administration Review*, "Reorganization from the State Point of View," illustrates the point.

While Governor Stevenson calls attention to the fact that federal reorganization is one way of dealing with some of the "problem of bigness in government," he points out that "an equally important answer . . . is our larger federal system." Hence, he sees a great need for improving cumbersome governmental machinery in the states and for seeing to it "that in carrying out essential national policies, our Congress utilizes to the greatest extent possible these basic, organic, live state units to bring as close to home as possible the actual operations of the national programs."

The same number of *Public Administration Review* carries a "Symposium on Budget Theory," a report on a conference of some sixteen men in Princeton, sponsored by Public Administration Clearing House and reported

by Herbert Emmerich, chairman, and Joseph E. McLean, secretary, of the conference. "The conference considered at some length the problems of state and local budgeting in a federal system . . . noted that the original theory that each level has control of its own revenues and expenditures horizontally does not apply to our present budgeting pattern. Today we have a combination horizontal-vertical budget in the state-local levels. . . . The administration of specialized local and state programs tends to by-pass the general executive and his budget office." The conference found a need for further research in state and local budget processes and several other matters.

One way of seeking democracy in administration has been described critically or approvingly, depending on the circumstances and point of view, as "the grass roots approach." Again in the winter number of *Public Administration Review*, R. G. Tugwell and E. C. Banfield review *TVA and the Grass Roots, A Study in the Sociology of Formal Organization*, by Philip Selznick (University of California Press, 1949. 282 pp. \$3.75). Titled "Grass Roots Democracy—Myth or Reality?", the review questions the validity of the "grass roots" partnership between the TVA and the Farm Bureau.

A more hopeful view of TVA experiments in grass roots administration of federal functions in various fields is presented by Lawrence L. Durisch, of the Tennessee Valley Authority, in his presidential address before the Southern Political Science Association, November 11, 1949. This appears as an article, "The States and Decentralized Administration of Federal Functions," in the February 1950 *Journal of Politics*.

Evidently Woodrow Wilson, one of the first political scientists to see the importance of the systematic study of administration, did not recognize any

necessary conflict between democracy and efficiency when he described the council-manager plan "as a marked advance over any plan hitherto tried in this country, from the standpoint of both efficiency and democracy."

It may be appropriate to suggest here that administrative researchers and theorists might obtain additional light on the problem of democracy and efficiency by further study of citizen action and participation in modern city and town government. Democracy in administration consists not merely in "control" by a democratically elected executive or legislature, or in a democratic relationship among the persons working in an administrative system, or in decentralization of administrative tasks and responsibilities, or in cooperation between administrative agencies and special clientele.

### Citizen Participation

At the local level especially, it has been demonstrated that both democracy and efficiency are advanced when citizens concerned primarily about the general interest have ready access to the administrative process. This is especially evident when administration and policy are hopelessly enmeshed, as in budgeting and planning, where best results are obtained when both administrators and volunteer citizen organizations take the initiative in establishing a two-way street of communication and cooperation. Therefore it is just as important for administration to maintain communication with citizens as to provide for the kind of internal information and communication needed for sound decisions and good *esprit*. This is what an increasing number of municipal administrators mean by public relations.

The difficulties of citizen participation and of effective public relations as distinct from pressure and propaganda

increase at the higher levels of government. This is one good reason for as much decentralization as is compatible with the state and national interest. However, it is suggested that state and even federal administrators could learn much about citizen communication and participation by taking a new look at local administration. Perhaps the progress of administrative theory and practice has been retarded because of the natural tendency of students of public administration to concentrate on the spectacular and absorbing problems of federal administration.

The current reexamination of basic assumptions extends beyond the field of administration per se to such fundamental matters as the nature and function of representation, the extent and limits of personal liberty, the meaning of majority rule, etc. Running through discussion of all these subjects is an anxiety over the viability of democracy in a world of atom bombs and of totalitarian dictatorships able to command the nearly unanimous vote of the people.

Professor Herbert McClosky, of the University of Minnesota, contributes a tightly reasoned discussion of "The Fallacy of Absolute Majority Rule" in the November 1949 *Journal of Politics*. Professor McClosky shows in effect that absolute majority rule involves a contradiction in terms because "in all modern polities it is *governments*, and not *majorities*, that actually rule. . . . The argument for absolute majority rule reduces itself *at the level of practice* to the endorsement of absolute governmental power by a minority," that is, by those who have "gained access to the offices of government." He points out that it is of the essence of modern constitutional democracy that there are limitations on the exercise of power, imposed by specific legal provision, "by institutional checks or,

most important, by the development of an ethos which requires that the rules of the game be respected."

Although Professor McClosky does not go into this, it might be observed that the administrative system can be a most important "institutional check" against drastic or irresponsible action by "the government." Every student of administration is familiar with the tendency of any bureaucracy to resist innovation. He is also painfully aware of the fact that bureaucracies have been perverted by dictators. It is believed, however, that administration in which "democracy is a way of life"—to go back to Professor Stene—merits more attention as a potential bulwark of real political democracy.

One of the fallacies of "absolute majority rule" is the assumption that a majority in a democracy could consciously will absolute power. In an established democracy there is a wide consensus on what is and what is not appropriate governmental action. If those engaged in administration are *of the people* in sharing this consensus, and if they do not lose contact with the people, they can do much to ward off tyranny: (1) by having a salutary influence on the making of policy, (2) by moderating the execution of policy tending to unhealthy extremes, (3) by providing government too satisfactory to invite subversion, and (4) by joining with the people in an emergency to resist anti-democratic action by irresponsible adventurers.

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## Research Pamphlets and Articles

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### Administration

**Detroit Staff Services.** Detroit, Bureau of Governmental Research, *Budget Backgrounds*, March 13, 1950. 2 pp.



### **Annexation**

**Annexation by Washington Municipalities.** By Donald C. Sampson. (Advantages, methods, fiscal and service problems.) Seattle, University of Washington, Bureau of Governmental Research and Services in cooperation with Association of Washington Cities, 1949. xii, 14 pp. Bibliography.

### **Budget**

**Cleveland's Budget for 1950.** Cleveland, Citizens League, *Greater Cleveland*, March 3, 1950. 6 pp.

**The Commissioners Play It Ultra-Safe.** Analysis of the (Allegheny) County's 1950 Budget. Pittsburgh, Pennsylvania Economy League, Western Division, *Newsletter*, February 1950. 8 pp. Tables.

**More Light on the City Budget.** (Boston's 1950 budget more informative than predecessors but falls short of five goals for better budgeting.) Boston, Municipal Research Bureau, *Bulletin*, March 10, 1950. 2 pp.

### **Building Permit Fees**

**Establishing Building Permit Fees.** Philadelphia, University of Pennsylvania, Associated Institutes of Government of Pennsylvania Universities, *Municipal Administration*, March 1950. 2 pp.

### **Constitutions**

**A Comparison Between the Washington State Constitution and the Model State Constitution.** By Mrs. Stuart W. Chapman. Seattle, University of Washington, Bureau of Governmental Research and Services, 1949. 8 pp.

### **Debt**

**Buffalo's Net Bonded Debt Reduced Over \$66 Million or 69 Per Cent Since 1938.** Buffalo, Municipal Research Bureau, *Just a Moment*, April 6, 1950. 3 pp.

**City's Interest Charges Increased Last Year. Further Rise Due, Al-**

though Average Rate Continues Decline. Philadelphia, Bureau of Municipal Research, *Citizen's Business*, March 14, 1950. 3 pp.

**The Effect of Overlapping Public Debt.** The League Makes an Over-all Study of the Debt Structure in the (Allegheny) County. Pittsburgh, Pennsylvania Economy League, Western Division, *Newsletter*, March 1950. 15 pp. Tables.

### **Education**

**Crisis is Faced in State's Education.** Schools Struggle with Unexpected Enrollments, Building Needs and Operating Costs. By John W. Richardson. Knoxville, University of Tennessee, Bureau of Public Administration, *Tennessee Government*, January-February 1950. 1 p.

**Kentucky's Rank in Education.** Frankfort, Kentucky Legislative Research Commission, 1950. 21 pp. Illus.

**School Finance Practices.** An Audit of Selected Local School Districts of Kentucky. Frankfort, Kentucky Legislative Research Commission, 1950. vi, 61 pp. Tables.

### **Elections and Voting**

**Voting Qualifications in Local Elections.** Toronto, Citizens Research Institute of Canada, *Effective Government*, March 17, 1950. 5 pp.

### **Federal Reorganization**

**A Multi-Billion Dollar Opportunity . . . as disclosed by the Hoover Commission.** Washington, Chamber of Commerce of the United States, Department of Governmental Affairs, 1949. 34 pp. 25 cents.

### **Governors**

**State Editors Rate Governor.** Detroit, Bureau of Governmental Research, *Bureau Notes*, March 20, 1950. 2 pp.

### **Home Rule**

**Constitutional Problems of County Home Rule in Ohio.** By Earl L.

Shoup. (Reprinted from the *Western Reserve Law Review*, December, 1949.) Cleveland, The Press of Western Reserve University, 1949. 21 pp.

### **Housing**

**40,000 More Tax-Free Housing Units and the Chicago Taxpayer.** Chicago, Civic Federation, *Bulletin*, February 1950. 4 pp.

### **Legislation**

**Printing of Legislative Bills.** Springfield, Illinois Legislative Council, 1949. 35 pp.

### **Medical Training**

**Adequacy of Medical Training Facilities.** Springfield, Illinois Legislative Council, February 1950. 36 pp.

### **Parking**

**The Parking Authority.** A Summary of Its Powers and Limitations under the State Enabling Acts. Philadelphia, Bureau of Municipal Research, *Citizens' Business*, February 14, 1950. 3 pp.

### **Pensions**

**Police and Fire Pension Legislation.** New York, Citizens Budget Commission, 1950. 8 pp.

### **Personnel**

**The Conditions and Perquisites of Employment in the Major Local Governments of Cook County, 1949.** By W. Robert Erickson. Chicago, Civic Federation, *Bulletin*, March 1950. 8 pp. Tables.

**State Personnel Administration in Colorado.** Denver, Colorado Public Expenditure Council, *Colorado Taxpayer*, February 1950. 1 p.

### **Police**

**Police Department Personnel.** Providence, Governmental Research Bureau, *Bulletin*, February 1950. 1 p.

### **Population**

**Mississippi's People.** By John C. Belcher and Morton B. King, Jr. University, University of Mississippi, Bureau of Public Administration, 1950. vii, 79 pp. Tables.

## **A NEW MODEL PRIMARY LAW** (Continued from page 227)

advisable to provide for a second or "run-off" primary election between the two highest candidates in the cases where no candidate receives a majority at the first primary.

10. If the Washington blanket ballot primary is used, it should be provided that any candidate who receives a majority of all votes cast in the primary shall be declared elected.

11. Primary elections should be held in the autumn within one to two months prior to the final election.

12. Compliance with the principle of the short ballot should be required in the internal structure of the party. Only a few outstanding party officers should be elective by the party members of each district and the form of the party organization should be kept simple and understandable by the voters.

A strong practical committee of the Citizens Union of New York City, working in parallel during October to December 1949, developed almost identical conclusions (No. 5 excepted as undesirable in New York City's unique four-party situation) as a basis for the draft of a new closed primary law for New York State. Shortage of staff time prevented the proposal from being reduced to bill form in time for introduction into the 1950 state legislative session.

This preview is presented here as an invitation to readers to send for a mimeographed copy of the 56-page draft of the *Model* in its present state and offer comments and criticisms. This is no private fight—anybody can get in!



# Books in Review

**Introduction to Municipal Government and Administration.** By Arthur W. Bromage. New York, Appleton-Century-Crofts, Inc., 1950. ix, 693 pp. \$5.

The first half of this book, quite unintentionally no doubt, is a rather complete and well organized description of the background and program of the National Municipal League and of the progress of its tenets. The second half collects and expounds the latest viable material on municipal administration down to recent published findings of the Public Administration Service and the International City Managers' Association on principles of modern departmental management. The latter section, indeed, would provide good orientation for any aspirant to a city managership, or a good check list for any municipal administrator who wants to see if his departments are correctly related and up to date in method.

A vivid account of the current American municipal scene in swift, precise and compact English!

R.S.C.

**Discontent at the Polls: a Study of Farmer and Labor Parties, 1827-1948.** By Murray S. and Susan W. Stedman. New York, Columbia University Press, 1950. 190 pp. \$2.75.

"In every one of the past twenty presidential elections one or more parties of the farmer or labor type have competed," observe the authors of this study. Although the highest vote attained was the sixteen millions for La Follette in 1924, the minor parties have had an importance beyond the 2 or 3 per cent of the vote they obtain in most presidential elections. Factors of importance, such as their advancing issues that the major

parties dodge, are well known to serious students of American politics. The authors here bring out a factor not so well known, that the minor parties have had a strong sectional effect and more success in state and local than in national politics.

This book examines thoroughly the farmer and labor parties from almost every possible angle: their history, platforms, record, geography, economic pattern, strategy and tactics, and their difficulties in getting on the ballot. If there is one matter of importance that is omitted it is the frequency with which their vote is not counted at all, or is rounded off by bipartisan election officers. The farmer and labor parties "lack permanence under any given name," and their "record reveals a series of spurts followed by collapses." They "have attracted their greatest vote when the economy was going downhill but before rock bottom was reached."

The present and persistent conflict of interest between the farmer and the urban union laborer does not make the future of farmer or labor parties promising. This volume is, nevertheless, a useful study, containing voting statistics never before assembled. It is interestingly written and handsomely printed.

DAYTON D. MCKEAN

Dartmouth College

**Evaluation of Citizenship Training and Incentive in American Colleges and Universities.** By Thomas H. Reed and Doris D. Reed. New York, New York University, Citizenship Clearing House, 1950. 64 pp.

A lucid commentary on 218 usable replies to a questionnaire issued to political science faculties. It finds great similarity in the introductory courses



and textbooks and in the favorite secondary courses on political parties. It laments the almost complete failure to find ways to introduce the students into any working acquaintance with practical politics.

R.S.C.

## Additional Books and Pamphlets

(See also *Researcher's Digest* and other departments)

### *Comparative Government*

**The Study of Comparative Government.** An Appraisal of Contemporary Trends. Essays Written in Honor of Frederic Austin Ogg. Edited by Jasper B. Shannon. New York, Appleton-Century-Crofts, Inc., 1949. viii, 338 pp. \$4.

### *Education*

**Better Schools Make Better Communities.** Kit for 1949-50 Advertising Campaign for Better Schools. Conducted by the Advertising Council, Inc., in cooperation with the National Citizens Commission for the Public Schools, U. S. Office of Education and Citizens Federal Committee on Education. New York 19, National Citizens Commission for the Public Schools, 1949. Variouslly pagged.

### *Intergovernmental Relations*

**Federal - State - Local Relations in Agriculture.** By John D. Black. Washington 6, D. C., National Planning Association, 1950. vi, 46 pp. 50 cents.

### *Municipal Ordinances*

**Codification of Municipal Ordinances.** By Charles S. Rhyne. Washington 6, D. C., National Institute of Municipal Law Officers, 1950. 93 pp. \$3.

### *Parking Meters*

**Parking Meters in the United States.** Year Ending December 31, 1949. Canton 5, Ohio, Vehicular Parking, Ltd., 1950. 44 pp. Tables.

### *Personnel*

**Public Employee Safety.** A Problem in Economy, Efficiency and Public Service. Chicago 6, National Safety Council, 1950. 4 pp.

### *Population*

**Internal Migration in the United States, April 1948 to April 1949.** Washington 25, D. C., U. S. Department of Commerce, Bureau of the Census, 1950. 11 pp.

### *Salaries*

**Salary and Wage Data.** Michigan Cities of More than 10,000 Population. Hours of Work, Overtime Pay Practices and Holiday Pay Practices. 1949-1950. By Municipal Personnel Service. Ann Arbor, Michigan Municipal League, 1950. 38 pp. \$1.25.

### *Taxation and Finance*

**Annual Report of the State Tax Commission of the State of Idaho, 1949.** Boise, the Commission, 1950. 36 pp.

**Report of the Revenue Laws Commission of the State of Illinois.** Summary of Recommendations and Research Report Submitted to the Commission by the Technical Staff. Springfield, the Commission, 1949. 662 pp.

**Increasing Cost of the Federal Government.** Compilation of Information. By the Committee on Expenditures in the Executive Departments. (United States Senate Document No. 150.) Washington, D. C., United States Government Printing Office, 1950. 19 pp.

### *Traffic Safety*

**Maim Street.** Hartford, Connecticut, Travelers Insurance Companies, 1950. 31 pp.

**The Teen-Age Driver.** By George C. Lowe, William H. Brewster and others. Chicago 6, National Safety Council, 1950. 31 pp.

**Operation Safety.** Program Kit on Traffic Safety Promotion for June 1950. Theme: **Speed Control.** Chicago 6, National Safety Council, 1950. Variouslly pagged.